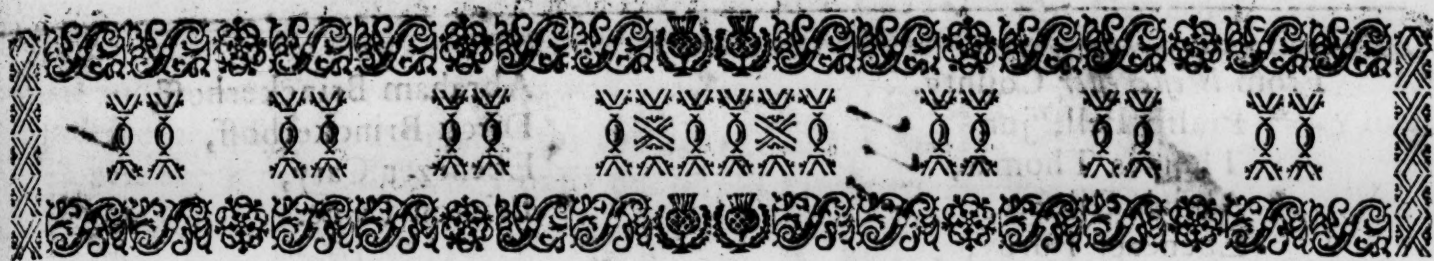


Eighth Session. First Meeting.



VOTES and PROCEEDINGS OF THE ASSEMBLY, &c.

ASSEMBLY - CHAMBER,

In the City of New-York, Tuesday, October 12th, 1784.

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IS Excellency the Governor having issued his Proclamation on the twentieth day of August, for convening the Legislature of this State at this place on the fourth day of October instant, several of the Members accordingly met on that day; but a sufficient number to proceed to business, not appearing, the House adjourned from day to day, until this day, when the several Gentlemen, whose names in the following list are marked with an asterisk, appeared: The said list contains the names of all the Representatives in Assembly for the current year, except the Representatives from the Counties of Cumberland and Gloucester, the Sheriffs of which Counties have not yet returned the transcripts of the Poll-Books, or Lists of Elections of Representatives in Assembly, held in their respective Counties. ~

From the City and County of *New-York*:

- * William Goforth, ✓
- Henry Remsen,
- * Peter V. B. Livingston,
- * Daniel Dunscomb,
- * Comfort Sands,
- William Denning, ✓
- John Lawrence,
- * Thomas Randall,
- Aaron Burr.

From the City and County of *Albany*:

- Christopher Yates,
- Dirck Swart,
- * Jacob Ford,
- * Matthew Adgate,
- Peter W. Yates,
- * John Younglove,
- Matthew Visscher,
- Israel Thompson,
- * Walter Livingston,
- * Abraham Becker.

From the County of *Suffolk*:

- * David Gelston,
- Ebenezer Platt,

- * Jeffrey Smith, ✓
- * Thomas Youngs, ✓
- * John Smith.

From the County of *Ulster*:

- John Cantine,
- * Charles D'Witt,
- Nathan Smith, ✓
- John Nicholson,
- Cornelius C. Schoonmaker, ✓
- * Johannis G. Hardenbergh.

From *Queens* County.

- * James Townsend, ✓
- * Joseph Lawrence,
- Abraham Skinner,
- * John Sands.

From *Kings* County:

- * John Vanderbilt, ✓
- * Charles Doughty, ✓

From *Richmond* County:

- * Joshua Mercereau, ✓
- * Cornelius Corsen.

From

From *Westchester* County.

- * Philip Pell, jun. ✓
- Thomas Thomas, ✓
- * Abijah Gilbert, ✓
- Ebenezer Purdy, ✓
- * Ebenezer Lockwood, ✓
- * Ebenezer S. Burling, ✓

From *Orange* County.

- * John Hathorn, ✓
- Jeremiah Clark, ✓
- William Sickles, ✓
- Gilbert Cooper. ✓

From *Dutchess* County.

- Cornelius Humfrey, ✓
- * Matthew Patterson, ✓
- * James Talmadge, ✓

- Abraham Brinckerhoff, ✓
- Dirck Brinckerhoff, ✓
- Ebenezer Cary, ✓
- * Brinton Paine. ✓

From *Montgomery* County.

- Christopher P. Yates, ✓
- * James Livingston, ✓
- * William Harper, ✓
- Isaac Paris, ✓
- Volkert Veeder, ✓
- Frederick C. Fox. ✓

From *Washington* County.

- * Albert Baker, ✓
- * David Hopkins, ✓
- Edward Savage, ✓
- * Adiel Sherwood. ✓

The Honorable John Sloss Hobart, Esquire, one of the Commissioners appointed for that purpose, attended in the Assembly Chamber, and the members present, respectively took and subscribed before him, the oath of abjuration and allegiance, as by law directed.

The House then elected John Hathorn, Esquire, to be their Speaker, and placed him in the chair accordingly.

Ordered, That Mr. W. Livingston and Mr. Pell, wait on his Excellency the Governor, and inform him that this House is met, and ready to proceed on business.

Ordered, That Mr. Paine and Mr. Goforth, wait on the Honorable the Senate, and inform them that this House is met, and ready to proceed on business.

Mr. Paine reported, that Mr. Goforth and himself had waited on the members of Senate assembled in the Senate-Chamber, with the message from this House, and that the Senate have not a quorum to proceed on business.

Mr. W. Livingston reported, that Mr. Pell and himself had waited on his Excellency the Governor, with the message from this House; and that his Excellency was pleased to say that as soon as he should receive a message from the Honorable the Senate, that they were also met and ready to proceed on business, he would lay the business of this meeting before the Legislature.

Ordered, That Mr. Adgate, Mr. Hardenbergh, Mr. Paine, Mr. Pell, Mr. G. Sands, Mr. Vanderbilt, Mr. Townsend, Mr. Gelston, Mr. Mercereau, Mr. J. Livingston, and Mr. Hopkins, or any six or more of them, be a Committee of Ways and Means.

Ordered, That Mr. D'Witt, Mr. W. Livingston, Mr. Corfen, Mr. Harper, and Mr. Ford, or any three or more of them, be a Committee of Privileges and Elections; that all members who come, to have voices; that they have power to send for persons, papers and records; and that they, from time to time, report their proceedings, with their opinion thereon, to the House.

Ordered, That Mr. Livingston, Mr. Patterson, Mr. Doughty, Mr. Goforth, and Mr. Burling, or any three or more of them, be a Committee of Grievances; that all members that attend, have voices; that they have power to send for persons and papers; and that they, from time to time, report their proceedings, with their opinion thereon, to the House.

Ordered, That Mr. Randall, M. Gilbert and Mr. Youngs, be a Committee for Courts of Justice; that they have power to send for persons, papers and records; and that they, from time to time, report their proceedings, with their opinion thereon, to the House.

Ordered, That Mr. Pell, Mr. Talmadge, Mr. Dunscomb, Mr. John Smith, and Mr. Younglove, or any three or more of them, be a Committee to see what Laws are expired or near expiring; and that they from time to time, report to the House which of them they shall

shall judge necessary to be revived or continued, and likewise what new laws they shall conceive necessary to be made, for the benefit of the State.

Then the House adjourned until ten of the clock to-morrow morning.

WEDNESDAY, 10 o'Clock A. M. October 13th, 1784.

William Sickles, Esquire, one of the members returned as duly elected in the county of Orange, appeared in the Assembly Chamber.

Ordered, That Mr. Jeffrey Smith, and Mr. Sherwood, wait on one of the Commissioners for that purpose appointed, with Mr. Sickles, and see him qualified.

Mr. Jeffrey Smith reported, that Mr. Sherwood and himself, pursuant to the order of the House, had attended before the Honorable John Sloss Hobart, Esquire, one of the Commissioners for that purpose appointed, with Mr. Sickles, and had seen him duly qualified, by taking and subscribing the oath for that purpose by law prescribed.

Ordered, That Mr. Sickles take his seat.

Then the House adjourned until ten of the clock to-morrow morning.

THURSDAY, 10 o'Clock, A. M. October 14th, 1784.

Israel Thompson, Esquire, one of the members returned as duly elected in the county of Albany, appeared in the Assembly Chamber.

Ordered, That Mr. Paine and Mr. Ford, wait on one of the Commissioners for that purpose appointed, with Mr. Thompson, and see him qualified.

Mr. Paine reported, that Mr. Ford and himself had attended before the Honorable John Sloss Hobart, Esquire, one of the Commissioners for that purpose appointed, with Mr. Thompson, and had seen him duly qualified, by taking and subscribing the oath for that purpose by law prescribed.

Ordered, That Mr. Thompson take his seat.

Then the House adjourned until ten of the clock to-morrow morning.

FRIDAY, 10 o'Clock, A. M. October 15th, 1784.

Thomas Thomas, Esquire, one of the members returned as duly elected in the county of Westchester, appeared in the Assembly Chamber.

Ordered, That Mr. W. Livingston, and Mr. Dunscomb, attend before one of the Commissioners for that purpose appointed, with Mr. Thomas, and see him qualified.

Then the House adjourned until ten of the clock to-morrow morning.

SATURDAY, 10 o'Clock, A. M. October 16th, 1784.

The House met, pursuant to adjournment, and adjourned until Monday next, at ten of the clock in the forenoon.

MONDAY, 10 o'Clock, A. M. October 18th, 1784.

Thomas Thomas, Esquire, one of the members returned as duly elected in the county of Westchester, William Denning, Esquire, returned as duly elected in the city and county of New-York, Jeremiah Clark, Esquire, returned as duly elected in the county of Orange, and Dirck Brinckerhoff, Esquire, returned as duly elected in the county of Dutchess, respectively appeared in the Assembly Chamber, and Walter Livingston, Esquire, one of the Commissioners for that purpose appointed, attended in the Chamber, and the members above named respectively took and subscribed before him the oath of abjuration and allegiance as by law prescribed.

Ordered, That the members above named respectively take their seats.

A message from the Honorable the Senate, was delivered by Mr. Roosevelt, that the Senate are met, and ready to proceed on business.

A message from his Excellency the Governor, was delivered by his private Secretary, that his Excellency requires the immediate attendance of this House in the Senate Chamber.

Mr. Speaker left the chair, and with the House attended accordingly; and being returned he reassumed the chair, and reported to the House that his Excellency had been pleased to make a Speech to the Legislature, and to deliver a copy thereof; the same being read, is in the words following, viz.

Gentlemen,

Gentlemen of the Senate and Assembly,

SINCE the close of the last session, the Legislature of the State of Massachusetts have thought fit to set up a claim to lands which, it is to be inferred, from their Petition to the Honorable the United States in Congress, lie some where within the antient jurisdiction of this State, but in what part, or to what extent is left in obscurity. They have, notwithstanding, requested, that a Fœderal Court may be appointed for enquiring into and determining such claim; and Congress have accordingly assigned the first Monday in December next, for the appearance of both States, and such other proceedings as are directed by the Articles of Confederation and Perpetual Union. From the Act of Congress of the 3d day of June last on this subject, and the papers accompanying it, you will perceive the necessity of appointing Agents to manage the controversy on the part of this State; and of calling for an explicit description of the lands claimed by the Massachusetts, without which we must be exposed, in our defence, to unnecessary difficulties and expence. The importance of these measures, and the election of Delegates and of Members to compose a Council of Appointment, for the ensuing year, were the principal inducements to your being assembled at a season which I am sensible must be inconvenient.

The Acts of Congress of the 27th, 28th and 29th of April, respecting the arrears of interest of the national debt, and the expences for the year 1784, and a requisition of money to discharge the same, and another Act of the 3d of June, recommending it to this and some other of the States to raise a proportion of their militia for taking possession of the western posts, guarding the public stores and protecting the treaties with the Indians (all which are now laid before you) came to my hands some time after the last adjournment. It appeared to me impracticable after near six months had been spent by the Legislature in the public business without any intermission, to have convened you at an earlier period, and it was the less necessary, as before the recommendation for raising these troops was communicated to me, it had been discovered, that there was not the least probability they could this season be employed in the principal service for which they were intended. These different subjects are now submitted to your deliberate consideration, and I am persuaded, the result will be dictated by a regard to the sacred rules of justice, to the honor of the State, and to the principles of the fœderal compact.

Gentlemen,

The injury which the State sustains in its growth and settlement by the claims of absentees and aliens, to large tracts of uncultivated lands, calls for your attention. These claimants contribute nothing to the exigences of Government, they retard the progress of improvement, while their estates continue to encrease in value by the labour and industry of the citizens who settle and cultivate the adjacent lands—Your wisdom will undoubtedly suggest some remedy consistent with the treaty, and the principles of equity, for a mischief which becomes daily more obviously detrimental.

I need not mention that the Legislature have long since seen the necessity of an estimate of the value of taxable property throughout the State; but the measures which they adopted for this purpose, have hitherto proved ineffectual: Without it government cannot be administered on wise and fixed principles; for it neither can be known to what amount the whole State may be taxed without oppression, nor what is the comparative value of the wealth of the respective counties and districts, however essential to equal taxation, and for preventing those discords and animosities which too frequently take place in fixing of the quotas.

The management of the public revenue also wants system: There is no mode established for drawing the income, expenditures or debts of the State, to a point; nor is it in the power of the best informed, at present, to produce a tolerable estimate of them, though it must be admitted that this is a branch of information so useful, that it cannot, without manifest inconveincy, be dispensed with.

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A revision of our laws is also necessary; to digest them in one code, which shall include such of the acts of the late Colony, and of the British Statutes as are adopted by the Constitution; and to form a general regulation for highways, and the internal oeconomy of districts and precincts, now continually calling for partial provision, is a work I would recommend as highly worthy of the consideration of the Legislature.

It is found by experience, that some of the laws of the last session, particularly the act establishing an university in this State, and the impost act, require amendment, as well to render them more easy in their execution, as more effectual in their operation. The officers acting immediately under them are directed to state for your information the defects which have been discovered.

Several other matters which I had the honor to lay before the Legislature at the opening of the last session, were not (for want of time) brought to maturity, and particularly a law for regulating the militia, and providing for magazines and arsenals, agreeable to our Constitution and the Confederation. These are of such importance to the honor and safety of the State, that I cannot omit repeating them.

I shall now leave with you such papers as I have received during the recess, and which may be necessary for your information, among these are the proceedings of the Commissioners of Indian affairs, containing a particular detail of their transactions, and the result of the business committed to them.

Gentlemen,

Altho' I have thought it my duty at the opening of a session to point out the various matters which appeared to me to claim the attention of the Legislature, yet should it be found inconvenient to the members to continue long together at this time, such of them only, may be taken into immediate consideration, as cannot with safety, be delayed until the next meeting.

GEO. CLINTON.

City of New-York, 18th of October, 1784.

The several papers attending his Excellency's speech, were also read.

Resolved, That his Excellency's speech be taken into consideration immediately; and the House proceeded to the consideration thereof accordingly.

Ordered, That his Excellency's speech be forthwith printed.

Resolved, That a respectful address be presented to his Excellency, in answer to his speech.

Ordered, That a Committee be appointed to prepare and report a draft of such address; and that Mr. Denning, Mr. Pell, Mr. C. Sands, Mr. D'Witt, and Mr. W. Livingston, be a Committee for that purpose.

Ordered, That the further consideration of his Excellency's speech be committed to a committee of the whole House; and that the said committee proceed to the further consideration thereof this afternoon.

Then the House adjourned until three of the clock in the afternoon.

3 o'Clock, P. M.

The House resolved itself into a Committee of the whole House, on the speech of his Excellency the Governor, and the papers which accompanied the same; and after some time spent thereon, Mr. Speaker resumed the Chair, and Mr. Livingston, from the said Committee, reported, that the Committee had agreed to the following Resolutions, which he was directed to report to the House, *to wit*,

Resolved, That it is the opinion of this Committee, if the Honorable the Senate shall concur therein, that the Senate and Assembly do respectively, on Wednesday next, at eleven of the clock in the forenoon, proceed to nominate five Delegates to represent this State in Congress.

Resolved, That it is the opinion of this Committee, that this House do, at eleven of the clock to-morrow morning, proceed to nominate and appoint a Council of Appointment.

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Resolved,

Resolved, That it is the opinion of this Committee, that the acts of Congress relative to Finance, which attended his Excellency the Governor's speech, be referred to a Committee, to consider and report thereon.

Resolved, That it is the opinion of this Committee that a Bill be prepared and brought in to compel the speedy settlement of certain appropriated and unimproved lands within this State.

Resolved, That it is the opinion of this Committee, that, if the Honorable the Senate concur therein, a joint Committee of both Houses of the Legislature be appointed to prepare and report a Bill for estimating the number of inhabitants, and ascertaining the taxable property within this State.

Resolved, That it is the opinion of this Committee, that a Bill be prepared and brought in for revising and digesting the Laws of this State.

Resolved, That it is the opinion of this Committee that a Bill be prepared and brought in for the better laying out, regulating and repairing public roads and highways.

And that the Committee had further directed him to move for leave to sit again.

And he read the Report in his place, and delivered the same in at the table, where the same was again read, and concurred in by the House.

Ordered, That the said Committee have leave to sit again.

Resolved, (if the Honorable the Senate concur herein) That the Senate and Assembly will respectively on Wednesday next, at eleven of the clock in the forenoon, proceed to nominate five Delegates to represent this State in the United-States in Congress assembled.

Ordered, That Mr. Dunscomb and Mr. Thompson deliver a copy of the preceding resolution to the Honorable the Senate.

Resolved, That this House will, at eleven of the clock to-morrow morning, proceed to nominate and appoint a Council of Appointment.

Resolved, That the acts of Congress, relative to Finance, which attended his Excellency the Governor's speech, be referred to a Committee to consider of, and report thereon; and that Mr. Brinckerhoff, Mr. J. Livingston, Mr. Clark, Mr. Jeffrey Smith, and Mr. Thomas, be a Committee for that purpose.

Resolved, That a bill be prepared and brought in, to compel the speedy settlement of certain appropriated and unimproved lands within this State; and that Mr. Ford, Mr. Harper, and Mr. Becker, be a Committee to prepare and bring in the same.

Resolved, (If the Honorable the Senate concur herein) That a joint Committee of both Houses of the Legislature be appointed to prepare and report a bill for estimating the number of inhabitants, and ascertaining the taxable property within this State; and in case of such concurrence, that Mr. Gilbert, Mr. Sickles, Mr. Adgate, Mr. Thompson and Mr. Youngs, be of the said joint Committee on the part of this House.

Ordered, That Mr. Gelston and Mr. Talmadge deliver a copy of the last preceding resolution to the Honorable the Senate.

Resolved, That a bill be prepared and brought in, for revising and digesting the laws of this State; and that Mr. J. Livingston, Mr. Pell, and Mr. Lockwood, prepare and bring in the same.

Resolved, That a bill be prepared and brought in, for the better laying out, regulating and repairing public roads and highways; and that Mr. Randall, Mr. Younglove, Mr. John Smith, Mr. J. Sands, Mr. Doughty, Mr. Corfen, Mr. Burling, Mr. Sickles, Mr. Brinckerhoff, Mr. Harper, Mr. Sherwood, and Mr. D'Witt, be a Committee to prepare and bring in the same.

Then the House adjourned until nine of the clock to-morrow morning.

TUESDAY, 9 o'Clock, A. M. October 19th, 1784.

Gilbert Cooper, Esquire, one of the representatives returned as duly elected in the county of Orange, appeared in the Assembly Chamber, and Walter Livingston, Esq; one of the Commissioners for that purpose appointed, attended in the Chamber, and Mr. Cooper took and subscribed before him the oath of abjuration and allegiance as by law prescribed.

Ordered, That Mr. Cooper take his seat.

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A memorial of the Chamber of Commerce, was read, and referred to Mr. C. Sands, Mr. Gelston, Mr. W. Livingston, Mr. Brinckerhoff, and Mr. Denning.

The several petitions of Thomas Huntington, George Hunter, and James Young, respectively praying an act of the Legislature for their naturalization, were read, and referred to Mr. Ford, Mr. Cooper, and Mr. Joseph Lawrence.

A petition of John Thomson, of the city of New-York, merchant, was read, and referred to Mr. Livingston, Mr. Clark, and Mr. Vanderbilt.

A petition of Zacharias Near, John Lofee, and two other insolvent debtors in gaol in Dutchess county; a petition of John Disney, in gaol at New-York; a petition of John Ferdon, and a petition of John Disney, Isacher Child, and others, insolvent debtors, in gaol in the city of New-York, were respectively read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson, and Mr. Jeffrey Smith.

A petition of Richard Hopper and others, stiling themselves inhabitants living on the water-lots in Philips's Patent, in Dutchess county, was read, and referred to Mr. Gilbert, Mr. Brinckerhoff, and Mr. Goforth.

A petition of Samuel Skidmore, surviving executor of Thomas Denton, late of Jamaica, in Queen's county, deceased, was read, and referred to Mr. J. Sands, Mr. Pell, and Mr. Baker.

A petition of Stephen Baxter, formerly of Bedford, in Westchester county, was read, and referred to Mr. Burling, Mr. Paine, Mr. Thompson, Mr. John Smith, and Mr. Youngs.

A Petition of Richard Sands, of Cowneck, in Queen's county, was read, and referred to the members of this House from Queen's and Westchester counties.

A petition of Johannis Weist, and others, inhabitants near Klien-Esopus, in Ulster county, was read, and referred to Mr. D'Witt, Mr. Dunscomb, and Mr. Younglove.

A Petition of Ludiwig Shoub and Peter Learman, relative to a copper mine, was read, and referred to Mr. Harper, Mr. Thomas, and Mr. Merfereau.

A petition of William Penny, of Fredericksburg, in Dutchess county, was read, and referred to the members of this House from the county of Dutchess.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Gasherie, was read, concurring with this House in their resolution, that a Committee of both Houses of the Legislature be appointed to prepare and report a bill for estimating the number of inhabitants, and ascertaining the taxable property within this State; and appointing Mr. Morris, Mr. Whiting, and Mr. Paine, to be of the said Committee on the part of the Senate.

The order of the day for the nomination and appointment of a Council of Appointment being read, the House proceeded accordingly; and each of the members present proposed four Senators, in the manner following, viz.

Mr.

from the said Committee, reported, that the Committee had agreed to the following Resolutions, which he was directed to report to the House, viz.

"*Resolved*, That it is the opinion of this Committee, that a Committee be appointed to revise the *Act for granting certain privileges to the College heretofore called King's College, for altering the name and charter thereof, and erecting an university within this State*, and also the *Act imposing duties on the importation of certain goods, wares and merchandize*; and that they report to the House such parts thereof, respectively, as shall appear to them to require amendment."

"*Resolved*, That it is the opinion of this Committee, that a bill be prepared and brought in, for regulating the militia of this State."

"*Resolved*, That it is the opinion of this Committee, that a bill be prepared and brought in, to provide proper magazines and arsenals for this State:"

And that he was directed by the said Committee to move for leave to sit again. Mr. Livingston read the said report in his place, and delivered the same in at the table, where the same was again read, and agreed to by the House. Thereupon

Ordered, That the said Committee have leave to sit again.

Resolved, That Mr. W. Livingston, Mr. Pell and Mr. J. Livingston, be a Committee to revise the *Act for granting certain privileges to the College heretofore called King's College, for altering the name and charter thereof, and erecting an university within this State*; and also to revise the *Act imposing duties on the importation of certain goods, wares and merchandize*; and that they report to the House such parts of the said Acts, respectively, as shall appear to them to require amendment.

Resolved, That a bill be prepared and brought in, for regulating the militia of this State; and that a bill be prepared and brought in, to provide proper magazines and arsenals for this State; and that Mr. Thomas, Mr. Goforth, Mr. Cooper, Mr. J. Sands, and Mr. Paine, be a Committee to prepare and bring in the two last mentioned bills.

Then the House adjourned until nine of the clock to-morrow morning.

WEDNESDAY, 9 o'Clock A. M. October 20th, 1784.

A memorial of Frederick Weissenfels, Esquire, was read and referred to Mr. J. Livingston, Mr. Patterson and Mr. Jeffrey Smith.

A petition of Ephraim Vrooman, of Schoharie in the county of Albany, was read and referred to Mr. Harper, Mr. Becker and Mr. Hardenbergh.

A petition of William Paulding, was read, and referred to Mr. C. Sands, Mr. Gilbert, and Mr. Brinckerhoff.

A petition of Henry Broadwell, of the Out Ward of the city of New-York, was read, and referred to Mr. Duncomb, Mr. Clark, and Mr. Joseph Lawrence.

A representation of Isaac Smith, of North-Castle, relative to depreciation of pay, was read, and referred to Mr. Lockwood, Mr. Doughty, and Mr. Talmadge.

A petition of John I. Myer, and a petition of Issacher Child, insolvent debtors, in gaol in the city of New-York; a petition of William Warner, of Kings district, in gaol in the city of Albany; a petition of Samuel Dickenson; a petition of Newberry Fowler, and a petition of Joseph Merrit, insolvent debtors in gaol in Westchester county, were severally read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

Mr. Pell moved for leave to bring in a bill, further to continue the Treasurer of this State in office.

Ordered, That leave be given accordingly.

Mr. Pell according to leave, brought in the said bill, entitled, *An act further to continue the Treasurer of this State in office*; which was read the first time, and ordered a second reading.

Then the House adjourned until ten of the clock to-morrow morning.

THURSDAY, 10 o'Clock, A. M. October 21st, 1784.

A petition of Nathaniel Tucker, was read, and referred to Mr. Adgate, Mr. Randall and Mr. Pell.

A petition of Charles Mc Evers, of the city of New-York, merchant, on behalf of Catharine Bayard, the wife of William Bayard, and her eldest child Alida, the

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wife

wife of Boulter Johnson; was read, and referred to Mr. Denning, Mr. Youngs and Mr. Clark.

The bill entitled, *An act further to continue the Treasurer of this State in office*, was read a second time, and committed to a Committee of the whole House.

Mr. C. Sands from the Committee to whom was referred the memorial of the Corporation of the Chamber of Commerce, suggesting and praying for amendments to the bill, entitled, *An act for imposing duties on the importation of certain Goods, Wares and Merchandize*, reported, that the Committee are of opinion, that the prayer of the petition should be granted; that the Committee have prepared drafts of two bills for that purpose, and directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Sands according to leave, brought in the said two bills, the one entitled, *An act for the establishment of a Custom House, and other purposes therein mentioned*, and the other entitled, *An Act imposing duties on certain goods, wares and merchandize imported into this State*; which were respectively read the first time, and ordered a second reading.

Mr. Burling from the Committee to whom was referred the petition of Stephen Baxter, now banished from this State, praying a law to permit his return to the State, and to come into allegiance thereto, together with the certificate of sundry inhabitants of Bedford, in Westchester county, which accompanied the same; reported, that it is the opinion of the Committee, that the prayer of the petition be granted, and that a bill be ordered to be brought in for that purpose.

Resolved, That the House do concur with the Committee in the said report; and

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in the said bill.

Mr. Adgate from the Committee to whom were referred the several petitions of debtors confined in the respective gaols at New-York, Albany, Dutchess and Westchester, severally praying a law to enable them to obtain a discharge from imprisonment; reported, that it is the opinion of the Committee, that the prayer of the petitioners be granted; and that a bill be ordered to be prepared and brought in for that purpose.

Resolved, That the House do concur with the Committee in the said report; and

Ordered, That the said Committee to whom the said petitions were referred, do prepare and bring in such bill.

A copy of resolutions of the Honorable the Senate, delivered by Mr. Stoutenburgh, was read, and is in the words following, viz.

Resolved, That the Senate do concur with the Honorable the House of Assembly, in their resolution of the 18th instant, so far as respects the nominating five Delegates to represent this State in the United States in Congress assembled.

Resolved, (If the Honorable the House of Assembly concur herein) That the Assembly and Senate will, respectively, on Tuesday next, at eleven of the clock in the forenoon, proceed to nominate five Delegates to represent this State in the United States in Congress assembled; and that three of the said Delegates shall statedly attend agreeable to the recommendation of Congress of the 19th day of April last."

Resolved, That this House do concur with the Honorable the Senate in their said last resolution.

Ordered, That Mr. Gelston and Mr. Remsen carry a copy of this Resolution of Concurrence to the Honorable the Senate.

A Message from the Honorable the Senate was delivered by Mr. Stoutenburgh, with the Bill therein mentioned, that the Senate have passed a Bill, entitled, *An Act to amend an Act, entitled, An Act to appoint Commissioners to complete the running of a jurisdiction line between this State and the State or Commonwealth of Massachusetts, passed the 17th day of March, 1783*, to which they request the concurrence of this House.

The said Bill was read the first time and ordered a second reading.

Mr. Pell, from the Committee appointed to prepare and report the draft of a respectful address to His Excellency the Governor, in answer to his speech at the opening of the Session, reported, that the said Committee had prepared a draft accordingly, which he read in his place and delivered in at the table, where the same was again read,

Ordered,

Ordered, That the said draft of an address be committed to a Committee of the whole House, and that the House resolve itself into a Committee thereon immediately.

The House then resolved itself into a Committee of the whole House on the said draft of an address; after some time spent thereon Mr. Speaker resumed the Chair, and, Mr. Patterson from the said Committee, reported, that the Committee had gone through the said draft without amendment, which he was directed to report to the House; and he read the report in his place, and delivered the draft in at the table, where the same was again read, and agreed to by the House.

Ordered, That the said draft of an address be engrossed.

Then the House adjourned until ten of the clock to-morrow morning.

F R I D A Y, 10 o'Clock, A. M. October 22d, 1784.

Henry Remsen, Esquire, one of the members returned, as duly elected in the city and county of New-York, and Nathan Smith, Esquire, one of the members returned as duly elected in the county of Ulster, appeared in the Assembly chamber; and Walter Livingston, Esquire, one of the Commissioners for that purpose appointed, attended in the Chamber, and Mr. Remsen and Mr. Smith took and subscribed before him the oath of abjuration and allegiance as by law prescribed.

Ordered, That Mr. Remsen and Mr. N. Smith take their seats.

Mr. Sands, from the Committee to whom was referred the petition of William Paulding, praying payment of a balance of certain accounts due to him as a Purchasing Commissary in the year 1776, reported, that they have examined the papers committed to them, and find that William Paulding, the petitioner, was appointed by the Convention of this State a Purchasing Commissary, to supply the troops raised in this State, in the Year 1776, and that the State engaged to provide ways and means for the payment thereof—That it also appears by his appointment, that he was to apply for directions to Joseph Trumbull, then Commissary General—That the said Commissary General did supply with money, and direct the purchases—That after the death of the said Joseph Trumbull, Congress appointed his brother Jonathan Trumbull a Commissioner to settle all accounts in his brother's department—That it also appears that he has settled all the accounts with Mr. Paulding; and that Mr. Paulding has received from the Register's-Office in Philadelphia a certificate of the balance due to him, and the same is entered in the public books as a debt due to him from the United States.

That the Committee are of opinion, that although Mr. Paulding received his appointment from this State, and the State in the first instance was answerable for the payment; yet as the whole transactions have been with officers acting under Congress, it would be improper for this State to assume the payment of the balance—That should the State assume this payment, others in the like circumstances would have similar claims, which might involve this State in new difficulty, and increase their debts far beyond their proportion or abilities.

Mr. Sands read the said report in his place and delivered the same in at the table, where the same was again read,

Resolved, That the House do concur with the Committee in their said report.

Mr. Hardenbergh, from the Committee to whom was referred the petition of Ephraim Vrooman, a Lieutenant, in Col. Peter Vrooman's Regiment of Militia, captivated while in actual Service opposing British troops, and those who had joined with them during the late war, and praying payment for the time of his service and captivity, reported, that it is the opinion of the said Committee that the account of the said Ephraim Vrooman, for his pay during his captivity, be audited by the Auditor for this State. That the Treasurer of the State pay to the said Ephraim Vrooman Twenty Pounds in Cash, in part of the amount of such audited account, to enable him to discharge debts by him contracted while in captivity, and give the usual treasury certificates issued to others of the militia, for the residue of the amount of such account. And that a clause be added to the first bill that shall pass for the payment of contingent expences, to authorise the payment of the said Twenty Pounds.

Mr.

Mr. Hardenbergh read the said report in his place, and delivered the same in at the table, where the same was again read.

Resolved, That the House do concur with the Committee in the said report, and

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such clause.

Mr. Dunscomb, from the Committee to whom was referred the petition of Henry Broadwell, reported, that it is the opinion of the Committee, (considering the known and good character of the said Henry Broadwell) that the present value of the building and improvements by him made on the lots of ground, No. 5 and 6, on the east-side of the Bowry-Lane (now belonging to the people of this State) ought to be allowed to him---That the value of the said building and improvement be ascertained by two reputable freeholders on oath---That the Commissioners of Forfeitures for the southern district should be authorized to pay to the said Henry Broadwell, the amount of such valuation out of the monies which shall arise by the sale thereof, and that a bill be ordered to be prepared and brought in for that purpose.

Mr. Dunscomb read the said report in his place, and delivered the same in at the table, where the same was again read.

Resolved, That the House do agree with the Committee in the said report.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such bill.

Mr. Mersereau, from the Committee to whom was referred the petition of Ludiwig Shoub and Peter Learman, praying a law to secure to them for a term of years against any demands of the people of this State, the working of a copper-mine in West-Chester County, reported, that it is the opinion of the Committee that the prayer of the petition ought to be granted, and that a bill be ordered to be brought in for that purpose.

Resolved, That the House do agree with the Committee in the said report; and

Ordered, That the Committee to whom the said petition was committed do prepare and bring in such bill.

A petition of William Roe, late of Oysterbay township, in Queens county, was read, and referred to the members of this House from the said county.

A petition of Philip Stauring, in gaol for debt in Montgomery county, a petition of Christopher Glover, a petition of John Walker, and a petition of Michael Tenny, severally in gaol in New-York for debt, and praying to be discharged from imprisonment; and a petition of Elisha Crane, shewing that Isacher Child had deserted from his bail, and praying that he may not be discharged from re-payment of the monies by that means recovered of the bail, were severally read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffery Smith.

A petition of the Mayor, Aldermen and Commonalty of the city of New-York for a piece of land, near Corlears Hook, for a slaughter-house yard, was read, and referred to Mr. Remsen, Mr. N. Smith, and Mr. Thomas.

A petition of Lambert Moore, relative to an indictment against him for having adhered to the enemies of the State during the late war, was read, and referred to Mr. Pell, Mr. J. Sands, Mr. Paine, Mr. Jeffrey Smith and Mr. Clark.

A petition of Sabina Nellis, Peter Nellis and John Nellis, with a certificate attending the same, was read, and referred to Mr. Denning, Mr. Youngs and Mr. Clark.

The bill entitled, *An act for the establishment of a Custom House, and other purposes therein mentioned*, the bill, entitled, *An act imposing duties on certain goods, wares and merchandize imported into this State*, and the bill, entitled, *An Act to amend an act, entitled, An act to appoint Commissioners to complete the running of a jurisdiction line, between this State and the State or Commonwealth of Massachusetts, passed the 17th day of March, 1783*, were respectively read a second time, and committed to a Committee of the whole House.

The engrossed address to his Excellency the Governor, was read, and is in the words following, viz.

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"To his Excellency George Clinton, Esquire, Governor of the State of New-York, General, and Commander in Chief of all the Militia, and Admiral of the Navy of the same.

"The respectful Address of the Assembly of the said State, in answer to his Excellency's Speech at the opening of the session.

"*May it please your Excellency,*

"WE, the representatives in Assembly, beg leave to assure your Excellency we are fully convinced that a due regard to the interesting affairs of the State has been your only inducement to convene the Legislature at this early season; and we shall proceed in the more pressing business committed to our charge, with cheerfulness and dispatch.

"The claim of Massachusetts to lands supposed to be somewhere within the ancient jurisdiction of this State, being of so important and unexpected a nature, will command our most serious and immediate attention.

"The Election of delegates to Congress, and of members to compose a Council of Appointment, have already been subjects of our deliberation.

"The acts of Congress, respecting the arrears of interest of the national debt, and the expences for the year 1784, and a requisition of money to discharge the same, as they involve not only the faith and credit of this State, but also of the whole Union, will be subjects of our attention.

"We approve the reasons assigned by your Excellency for not convening the Legislature on your receipt of the act of Congress, recommending it to this and some other of the States, to raise a proportion of their militia, for taking possession of the Western Posts, guarding the public Stores, and protecting the treaties with the Indians. We however regret that those posts have not yet been delivered up by the British Commander in Canada, as the withholding them evidently tends to the injury of this State.

"We are well convinced that the right to large tracts of unimproved lands, within the State, being vested in absentees and aliens, is detrimental to its settlement, population and prosperity; because under such circumstances the lands remain uncultivated and unprofitable, and are encreasing in their value for the benefit of strangers, by the labour and expence of our industrious citizens: We shall therefore consider it our duty to adopt measures productive of their speedy improvement.

"It is evidently necessary to ascertain the value of taxable property within the State, not only that harmony may be preserved among our citizens, but also that we may be enabled to establish a mode of taxation which may in future be more equal and efficacious in its operation.

"From the fullest conviction we concur with your Excellency, that hitherto no adequate system has been adopted for drawing the revenues, expenditures or debts of the State to a point; nor any effectual means pursued for ascertaining either its resources or expences. This matter is so essential to the preservation and respectability of government, that it shall be ranked among the objects of our serious discussion.

"The revising and digesting the laws of the late Colony and of this State, and such of the British Statutes as are adopted by the constitution; the general regulation of highways and the internal œconomy of districts and precincts, appear to us so necessary and useful, that we have already taken them under consideration; as also the defects in the acts for establishing an University in this State, and the impost act.

"The various and important matters which your Excellency has been pleased to recommend to us, shall in their order be duly attended to; and you may be assured that we meet with the most cordial disposition to pursue every measure tending to advance the interest and honor of the State, or the convenience and advantage of our constituents."

Assembly Chamber, October 22d, 1784.

Ordered, That Mr. Speaker subscribe the said address on behalf of the House.

Resolved, That the said address be presented to his Excellency the Governor by the whole House.

E

Ordered,

Ordered, That Mr. D'Witt and Mr. Gelston wait on his Excellency the Governor, to know when he will be pleased to be attended by this House with their respectful address.

Mr. Adgate, from the Committee appointed for that purpose according to order, brought in a Bill, entitled, *An act for the Relief of insolvent Debtors*; which was read the first time, and ordered a second reading.

Mr. W. Livingston, from the Committee of the whole House, on the Bill, entitled, *An act further to continue the Treasurer of this State in office*, reported, that the Committee had gone through the bill, and made amendments, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Mr. D'Witt reported, that pursuant to the order of the House, Mr. Gelston and himself had waited on his Excellency the Governor, to know when he would be pleased to be attended by this House with their respectful address, and that his Excellency had been pleased to appoint to-morrow at eleven of the clock in the forenoon for that purpose.

Then the House adjourned until ten of the clock to-morrow morning.

SATURDAY, 10 o'Clock, A. M. October 23d, 1784.

The engrossed bill, entitled, *An act further to continue the Treasurer of this State in office*; was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Brinckerhoff and Mr. Joseph Lawrence deliver the said bill to the Honorable the Senate for concurrence.

The bill, entitled, *An Act for the relief of insolvent debtors*, was read a second time, and committed to a Committee of the whole House.

A petition of George Fisher, and others, suggesting that Teunis Casey, alias Teunis Kier, now under sentence of Death for the murder of Sarah Rhodes, was at the time of the murder committed *non compos mentis*; and praying a law, to pardon and restrain him to some place of confinement, was read, and referred to Mr. J. Livingston, Mr. Vanderbilt and Mr. Dunscomb.

A Petition of John de Ponthieu Wilkes, a prisoner in gaol at New-York, at the suit of a creditor or creditors, was read, praying leave to bring in a bill to enable him to deliver up all his effects and property for the benefit of his creditors; and that in consequence thereof he may be discharged from the demands of his creditors, and his person be released from confinement.

Ordered, That the petitioner have leave to present to this House a bill, pursuant to the prayer of his petition.

A petition of Jonathan G. Graham, and a petition of Nathan Miller, insolvent debtors in gaol, in Westchester county; and the separate petitions of Ozias Goodrich, William Blake, Frederick Baldwin, Caleb Hobby, Oliver Baxter and Ebenezer Winship, insolvent debtors in gaol in the city of New-York; and a petition of John Ford, an insolvent debtor in gaol at New-York, and of sundry of his creditors, were respectively read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of Aulay M'Aulay, was read, and referred to the members of this House from Dutchess county.

A petition of Joshua Pine, George Briggs and Eden Hunt, assessors of the borough town of Westchester, in the county of Westchester, was read, and referred to Mr. D'Witt, Mr. Denning, Mr. Doughty, Mr. Harper and Mr. Youngs.

A petition of John Wood, of Goshen, in Orange County, was read, and referred to Mr. Adgate, Mr. Randall and Mr. Pell.

Mr. Speaker then left the chair, and with the House attended his Excellency the Governor, according to his appointment, with their respectful address; and being returned, he reassumed the chair, and reported, that the House had attended his Excellency

lency the Governor, with their respectful address; and that his Excellency had been pleased to return an answer thereto, and deliver him a copy thereof, which being read, is in the words following, viz.

"GENTLEMEN,

"I RETURN you my sincere thanks for this polite address—Your approbation of my conduct, in calling you together at this time, affords me great satisfaction, and the sense you entertain of the importance of the several matters recommended to your attention, with the disposition you discover to adopt every measure which may tend to advance the interest and honor of the State, cannot but be highly grateful to your constituents.

"Permit me to assure you, that it will give me the highest pleasure to facilitate the deliberations of the Legislature, and to render their acts effectual by a due execution.

G E O. C L I N T O N."

New-York, October 23.

Mr. Ford made a motion in the words following, viz.

"I move that a Committee be appointed to enquire into the reasons why the tax has not been collected in the southern district of this State, agreeable to a law passed at the last Session of the Legislature, and to report where the neglects lie, and what shall appear to them necessary to be done on that subject; and also to enquire into the reasons why the arrearages of taxes have not been collected throughout the State, and to report thereon."

The question being put on the said motion, it was carried in the affirmative, *nem. con.* Thereupon

Ordered, That Mr. C. Sands, Mr. Vanderbilt, Mr. Ford, Mr. W. Livingston, and Mr. Jeffrey Smith be a Committee, to enquire into the reasons why the tax has not been collected in the southern district of this State, agreeable to a law passed at the last session of the legislature, and to report where the neglects lie, and what shall appear to them necessary to be done on that subject; and also to enquire into the reasons why the arrearages of taxes have not been collected throughout the State; and that the said Committee make reports on the several matters committed to them, with all convenient speed.

Mr. Clark from the Committee of the whole House, on the Bill entitled, *An act to amend an act, entitled, An act to appoint Commissioners to complete the running of a jurisdiction line, between this State and the State or Commonwealth of Massachusetts, passed the 17th day of March, 1783,* reported, that the Committee had gone through the bill, without amendment, which he was directed to report to the House; and he read the report in his place, and delivered the bill in at the table, where the same was again read.

The said bill was then read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Goforth and Mr. N. Smith deliver the said bill to the Honorable the Senate, and inform them that this House have passed the bill without amendment.

Then the House adjourned until Monday next at ten of the clock in the forenoon.

MONDAY, 10 o'Clock, A. M. October 25th, 1784.

The separate Petitions of Lewis Galt, John Smith, James Rose, John Keen, John Adams and George Werts, insolvent debtors in gaol at New-York; and the petition of Isaac Burton, of Amenia precinct, in Dutchess county, alledging that he is an insolvent debtor, were read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

Cornelius Humfrey, Esquire, one of the representatives in Assembly, returned as duly elected in the county of Dutchess, appeared in the Assembly chamber; and Walter Livingston, Esquire, one of the commissioners for that purpose appointed, attended in the chamber, and Mr. Humfrey took and subscribed before him the oath of abjuration and allegiance, by law prescribed.

Ordered, That Mr. Humfrey take his Seat.

A petition of Daniel Ashcraft, was read, and referred to Mr. Hopkins, Mr. Paterson and Mr. N. Smith.

A petition of Frederick Becker, with a certificate of Col. Peter Vrooman attending the same, were read, and referred to Mr. Humfrey, Mr. Ford and Mr. John Smith.

A petition of Col. Peter Yates and Col. Lewis Vanwoert, both of the county of Albany, was read, and referred to Mr. Cooper, Mr. Paine and Mr. C. Sands.

A petition of Elizabeth Leonard, of the outward of the city of New-York, was read, and referred to Mr. Dunscomb, Mr. Clark and Mr. Joseph Lawrence.

A petition of Frederick Jay, on behalf of himself and John Jay, James Depeyster and Augustus Van Cortlandt, was read, and referred to Mr. Pell, Mr. J. Livingston and Mr. Denning.

A memorial of David Richard Floyd, relative to lands in Queens county, late in the possession of Thomas Jones, was read, and referred to Mr. Adgate, Mr. Brinckerhoff and Mr. D'Witt.

Mr. J. Livingston, from the Committee to whom was referred the petition of George Fisher, and others, praying a pardon for Teunis Casey of the felony and murder of Sarah Rhodes, whereof he is convicted, reported, that it is the opinion of the Committee that the prayer of the petitioners be granted; that the Committee have prepared the draft of a bill for that purpose, and directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. J. Livingston, according to leave, brought in the said bill, entitled, *An act to pardon Teunis Casey, alias Teunis Keire, of the felony therein mentioned*; which was read the first time, and ordered a second reading.

Mr. Lockwood, from the Committee to whom was referred the representation of Isaac Smith of North-Castle, in Westchester county, praying an allowance of depreciation on the pay he received as a surgeon's mate, in part of the year 1778, before he resigned the service in one of the Continental regiments raised in this State, reported, that by a strict inquiry they find that persons in such circumstances are by law precluded from receiving any depreciation on their pay; and are of opinion, that the prayer of the said Isaac Smith ought not to be granted; which report he read in his place, and delivered in at the table, where the same was again read.

Resolved, That the House do concur with the committee in the said report.

Mr. Ford moved for leave to bring in a bill, to enable the Oneida and Tuscarora Indians to sell and convey their lands.

Ordered, That leave be given accordingly.

A petition of Andrew Moodie, William Nexson and Thomas Storm, Weigh-masters in the city of New-York, was read, and referred to a committee of the whole House, to be taken into consideration with the bill now before the House, for imposing duties on the importation of certain goods, wares and merchandize.

Mr. Dunscomb, from the Committee of the whole House, on the bill, entitled, *An act for the establishment of a custom house, and other purposes therein mentioned*, reported, that the Committee have made some progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

By unanimous consent of the House, the bill, entitled, *An act to pardon Teunis Casey, alias Teunis Keire, of the felony therein mentioned*, was read a second time, and committed to a Committee of the whole House.

Then the House adjourned until nine of the clock to-morrow morning.

TUESDAY, 9 o'Clock, A. M. October 26th, 1784.

A petition of Benjamin Palmer, praying payment for services by him performed in superintending the building of a bridge over Spuytenduyvel-Creek, near Kings-Bridge, and for monies by him advanced in that service; with two certificates attending the same, were read, and ordered to be laid on the table.

A memorial of Aaron Van Naame, Abraham Bancker, John C. Dongan, Hendrick Garrison, Anthony Fountain, and Harmanus Garretson, (stiling themselves a Committee

mittee appointed by the freeholders and inhabitants of the county of Richmond) relative to a tax directed by a law passed at the last session of the Legislature, to be levied in the said county, was read, and ordered to be laid on the table, for the perusal of the members.

A petition of Jane Blake, relative to the estate late of Jonathan Blake, deceased, was read, and referred to Mr. Remsen, Mr. Sherwood, and Mr. Hardenbergh.

A petition of John Pessenger, and a petition of Ann Mott, were respectively read, and referred to Mr. Dunscomb, Mr. Clark, and Mr. Joseph Lawrence.

A petition of Jane Byrne, and a petition of Thomas Jones, on behalf of himself and John Jones, were respectively read, and referred to Mr. Gilbert, Mr. Sickles, and Mr. Livingston.

A petition of Nanning Visscher, alledging that he is an insolvent debtor, and praying a discharge by law, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson, and Mr. Jeffrey Smith.

A petition of Jonas Denton, relative to the opening and working of a mine in Orange county, was read, and referred to Mr. Harper, Mr. Thomas, and Mr. Mersereau.

A petition of George Head, and others, inhabitants of Dutchess county, on behalf of Zebulun Walbridge, was read, and referred to Mr. Burling, Mr. Paine, Mr. Thompson, Mr. John Smith, and Mr. Youngs.

A petition of Richard Harrison, was read, and referred to Mr. Humfrey, Mr. Goforth, Mr. Youngs, Mr. N. Smith, and Mr. W. Livingston.

A petition of Peter Webbers, Aaron Gilbert, and others, collectors of taxes in the city of New-York, was read, and referred to Mr. N. Smith, Mr. Adgate, and Mr. Doughty.

A petition of George G. Klock, was read, and referred to Mr. Denning, Mr. Youngs, and Mr. Clark.

Mr. Livingston, from the Committee to whom was referred the petition of John Thompson, reported, as the opinion of the Committee, "that a bill be prepared and brought in, to empower the Commissioners of forfeited Estates in the southern district of this State, to grant a lease to the petitioner, for the term of five years from the first day of May last past, of a certain house and lot of ground in Queen-street, in the city of New-York, now in the possession of the said John Thompson, at the annual rent of one hundred and twenty pounds, to be paid in quarterly payments to the Treasurer of this State for the time being, for the use of this State."—Mr. Livingston read the said report in his place, and delivered the same in at the table, where the same was again read.

Resolved, That the House do agree with the Committee in the said report.

Mr. Denning, from the Committee to whom was referred the petition of Charles M'Evers, on behalf of Catharine Bayard, the wife of William Bayard, and her eldest child Alida, the wife of Boulter Johnson, praying on behalf of the said Catharine, and for her separate use, to be allowed the right of preemption of the estate of William Bayard in the house and lands by him formerly occupied at Greenwich, and in the house in the city of New-York, occupied by Walter Buchanan and John Thompson, at such price (payable in gold and silver, bills of credit, or certificates) as the same may be fairly appraised at, and according to the mode of appraising and paying for the lot of ground and farm mentioned in the 37th section of an act passed at the last session of the Legislature, entitled, *An act for the speedy sale of the confiscated and forfeited estates within this State, and for other purposes therein mentioned*, reported, that it is the opinion of the Committee that the prayer of the said petition be granted; and that a bill be prepared, and brought in for that purpose, with a proviso to be therein contained for granting a lease of the said house, in the possession of the said John Thompson, to the said John, for five years, from the first day of May last, at the like annual rent as was reserved in a lease formerly made of the said premises by the said William Bayard, to the said John Thompson.—Mr. Denning read the said report in his place, and delivered the same in at the table, where the same was again read.

Resolved, That the House do agree with the Committee in the said reports.

Ordered, That a bill be prepared and brought in to carry the two last-mentioned reports;

reports into effect; and that Mr. Denning, Mr. Clark, Mr. Livingston, Mr. Vanderbilt, Mr. D'Witt and Mr. Harper be a Committee for that purpose.

The order of the day for the nomination and appointment of five delegates, to represent this State, in the United States in Congress assembled, being read; the House proceeded openly to nominate five delegates to represent this State, in the United States in Congress assembled; and each of the members present proposed five persons as follows, viz.

	John Jay, Esq;	Walter Livingston, Esq;	Lewis Morris, Esq;	Francis Lewis, Esq;	Egbert Benson, Esq;	Brockholst Livingston, Esq;	John Lansing, jun. Esq;	Charles D'Witt, Esq;	William Malcom, Esq;	John Broome, Esq;	Ephraim Paine, Esq;	Wm. Smith, Esq;	Cornelius Humfrey, Esq;
Mr. Dunscomb,	1	1	1	1	1								
Mr. Goforth,	1	1	1			1	1						
Mr. Doughty,	1	1	1		1		1						
Mr. Vanderbilt,	1	1	1		1		1						
Mr. Livingston,	1	1				1	1	1					
Mr. Becker,	1	1			1		1		1				
Mr. Merfereau,	1	1	1			1	1						
Mr. Hardenbergh,	1	1		1			1	1					
Mr. Gelston,	1	1			1		1			1			
Mr. Younglove,	1	1					1	1			1		
Mr. Joseph Lawrence,	1	1	1		1		1						
Mr. Corfen,	1	1	1		1		1						
Mr. C. Sands,	1	1	1		1		1						
Mr. J. Sands,	1	1	1		1		1						
Mr. Remsen,	1	1			1		1	1					
Mr. Patterfon,	1	1			1		1		1				
Mr. Jeffrey Smith,	1	1	1				1			1			
Mr. John Smith,	1	1		1	1		1						
Mr. Pell,	1	1				1	1		1				
Mr. Lockwood,	1	1	1				1	1					
Mr. Gilbert,	1	1	1				1			1			
Mr. Burling,	1	1	1		1		1						
Mr. Paine,	1	1					1		1		1		
Mr. Talmadge,	1	1					1		1		1		
Mr. Hopkins,	1	1			1		1				1		
Mr. Baker,	1	1	1		1						1		
Mr. Sherwood,	1	1			1		1				1		
Mr. Youngs,	1	1					1					1	
Mr. Adgate,	1	1			1		1		1				
Mr. Ford,	1	1			1		1		1				
Mr. J. Livingston,	1	1			1		1		1				
Mr. Harper,	1	1			1		1				1		
Mr. Randall,	1	1			1		1	1					
Mr. Sickles,	1	1		1			1	1					
Mr. Thompson,	1	1					1		1		1		
Mr. Denning,	1	1				1	1	1					
Mr. Clark,	1	1	1		1		1						
Mr. Brinckerhoff,	1	1			1		1				1		
Mr. Cooper,	1	1	1		1		1						
Mr. N. Smith,	1	1			1		1	1					
Mr. Humfrey,	1	1					1	1			1		

Thereupon, on motion of Mr. C. Sands,

Resolved, That John Jay, Esquire, be, and he is hereby nominated by this House one of the delegates to represent this State, in the United States in Congress assembled, for the ensuing year.

On motion of Mr. Livingston,

Resolved, That Walter Livingston, Esquire, be, and he is hereby nominated by this House one of the delegates to represent this State, in the United States in Congress assembled, for the ensuing year.

On motion of Mr. J. Livingston,

Resolved, That Egbert Benson, Esquire, be, and he is hereby nominated by this House one of the delegates to represent this State, in the United States in Congress assembled, for the ensuing year.

On

On motion of Mr. Pell,

Resolved, That John Lansing, jun. Esquire, be, and he is hereby nominated by this House one of the delegates to represent this State, in the United States in Congress assembled, for the ensuing year.

And on motion of Mr. Mersereau,

Resolved, That Lewis Morris Esquire, be, and he is hereby nominated by this House one of the delegates to represent this State, in the United States in Congress assembled, for the ensuing year. Thereupon

Resolved, That John Jay, Lewis Morris, Egbert Benson, Walter Livingston and John Lansing, jun. Esquires, are nominated by this House delegates to represent this State in the United States in Congress assembled, for the ensuing year.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Swartwout, was read, and is in the words following, viz.

Resolved, That this Senate will meet the Honorable the House of Assembly, in the Assembly chamber, at such time as they shall appoint, to compare the lists of persons nominated by the Senate and Assembly respectively, to represent this State, in the United States in Congress assembled, for the ensuing year.

Resolved, That this House will immediately meet the Honorable the Senate, in the Assembly chamber, to compare the lists of persons nominated by the Senate and Assembly respectively, to represent this State, in the United States in Congress assembled, for the ensuing year.

Ordered, That Mr. Patterson and Mr. Burling deliver a copy of the last preceding resolution to the Honorable the Senate.

The Honorable the Senate accordingly attended in the Assembly chamber, agreeable to the resolutions of both Houses, to compare the lists of persons nominated by the Senate and Assembly respectively, to represent this State, in the United States in Congress assembled, for the ensuing year; the list of persons nominated by the Honorable the Senate, were, John Jay, Walter Livingston, John Lansing, jun. Zephaniah Platt and Brockholst Livingston, Esquires; and on comparing the lists of both Houses, it appeared, that the names of Lewis Morris and Egbert Benson, Esquires, nominated by this House, and the names of Zephaniah Platt and Brockholst Livingston, Esquires, nominated by the Honorable the Senate, were not in both lists; and thereupon the Senators and members of Assembly proceeded by joint ballot, pursuant to the thirtieth article of the constitution of this State, to choose two of the said four persons, and upon such election there appeared a majority of ballots in favour of Egbert Benson and Zephaniah Platt, Esquires. Thereupon

Resolved, That John Jay, Egbert Benson, Walter Livingston, John Lansing, jun. and Zephaniah Platt, Esquires, are hereby declared duly nominated and appointed delegates, to represent this State, in the United States in Congress assembled, for one year, from the first Monday in November next.

Then the House adjourned until nine of the clock to-morrow morning.

WEDNESDAY, 9 o'Clock, A. M. October 27th, 1784.

A petition of Pierre Reignier de Rousis, praying an allowance for the depreciation on the pay he received as an officer, before he resigned the service in one of the Continental regiments, raised in this State, was read, and referred to Mr. Doughty, Mr. Talmadge and Mr. Lockwood.

A petition of Thomas Crawford, with sundry certificates attending the same, shewing that the petitioner was wounded in the service of the United States, and thereby disabled from obtaining a livelihood, and praying a pension, was read, and referred to Mr. Gelston, Mr. Hopkins and Mr. Hardenbergh.

A petition of James Campbell, praying that William Blake, a prisoner in gaol in the city of New-York, may not have the benefit of any law that may pass for the benefit of insolvent debtors, was read, and committed to a committee of the whole House, to be taken into consideration with the bill now before the House, for the benefit of insolvent debtors.

A petition of Dederick Heyer, was read, and referred to Mr. Dunscomb, Mr. Clark and Mr. Joseph Lawrence.

Mr.

Mr. Hopkins, from the Committee to whom was referred the petition of Daniel Ashcraft, praying a compensation in lands, in the western territory of this State, for his losses occasioned during the late war by his fidelity and allegiance to this State, reported, that it is the opinion of the Committee that the prayer of the petitioner cannot with propriety be granted.

Resolved, That the House do concur with the Committee in the said report.

Mr. Pell, from the Committee to whom was referred the petition of Richard Sands, of Cowneck, reported, that it is the opinion of the Committee that a well regulated ferry between Cowneck, in Queens county, and New Rochelle, in Westchester county, is necessary; and that a bill ought to be brought in to carry the prayer of the said petition into effect.

Resolved, That the House do concur with the Committee in the said report; and

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such bill.

Mr. D'Witt, from the Committee to whom was referred the petition of Johannes Weist, and others, presented to this House, on the 19th instant, reported, that it is the opinion of the Committee that Susanna De Lancey and Boudewyn Terpening, be served each with a copy of the said petition, and that they attend at the next meeting of the Legislature, within ten days after a quorum of both Houses shall have convened, to shew cause, if any there be, why the prayer of the petitioners should not be granted; and that a bill be ordered to be brought in to stay a partition of the lands mentioned in the said petition, until the parties have had an opportunity to be heard before the Legislature.

Mr. D'Witt read the said report in his place, and delivered the same in at the table, where the same was again read, and agreed to by the House.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such bill.

A message from the Honorable the Senate, was delivered by Mr. Haring, with the bill therein mentioned, that the Senate have passed the bill, entitled, *An act further to continue the treasurer of this State in office*, without amendment.

Ordered, That Mr. Gilbert and Mr. Burling deliver the said bill to the Honorable the Council of Revision.

A message from the Honorable the Senate, was delivered by Mr. Haring, with the bill therein mentioned, that the Senate have passed a bill, entitled, *An act to appoint agents, or commissioners, for vindicating the right and jurisdiction of this State against the claims of the commonwealth of Massachusetts, pursuant to the Articles of Confederation and Perpetual Union of the United States*, to which they request the concurrence of this House.

The said bill was read the first time, and ordered a second reading.

Mr. Harper made a motion in the words following, to wit,

"Whereas at a late trial, had before the Mayor's court, in the city and county of New-York, in a suit commenced by Rutgers against Waddington, on the act for granting a more effectual relief in cases of certain trespasses, in the judgment of the said court, on the said trial, it was declared, that such part of the act, as specially provides that no defendant or defendants shall be admitted to plead in justification any military order or command whatsoever for such occupancy in any action brought in pursuance of the act aforesaid, was incompatible with the law of nations; and that the plaintiff ought not to recover in the suit for such part of the time of occupancy of a messuage as the defendant occupied under the order of the British commander in chief."

Resolved, That the adjudication aforesaid, is in its tendency, subversive of all law and good order, and leads directly to anarchy and confusion, because if a court instituted for the benefit and government of a Corporation, may take upon them to dispense with, and act in a direct violation of a plain and known law of the State, all other courts, either superior or inferior, may do the like; and therewith will end all our dear bought rights and privileges, and Legislatures become useless.

Therefore resolved, That it be recommended to the Honorable the Council of Appointment, at their next appointments, to appoint such persons to be Mayor and Recorder of the City of New-York, as will govern themselves by the known laws of the land."

Debates

Debates arose on the said motion, and after some time spent thereon, ordered that the further consideration thereof be postponed.

Mr. Dunscomb from the Committee of the whole House, on the bill, entitled, *An act for the establishment of a custom house, and other purposes therein mentioned*, reported, that in proceeding in the bill, a paragraph was read in the words following, viz.

"Be it enacted, &c. that it shall and may be lawful to and for the Governor or person administering the government of this State for the time being, by and with the advice and consent of the Council of Appointment, from time to time, to appoint one Naval Officer, and one Collector of Imports for the port of New-York, and one Collector for the port of Sagg Harbour."

That the said paragraph having been read, Mr. Ford made a motion that the words *one Naval Officer* be obliterated—That debates arose on the said motion, and the question being put thereon, it was carried in the Affirmative in the manner following, viz.

For the Affirmative.

Mr. Hardenbergh
Mr. Gelfton,
Mr. Younglove.
Mr. Patterson,
Mr. John Smith,
Mr. Pell,

Mr. Lockwood,
Mr. Gilbert,
Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,

Mr. Baker,
Mr. Sherwood,
Mr. Youngs,
Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,

Mr. D'Witt
Mr. Sickles,
Mr. Thompson,
Mr. Cooper,
Mr. Humphrey.

For the Negative.

Mr. Goforth,
Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston
Mr. W. Livingston,

Mr. Coffen,
Mr. Merfereau,
Mr. C. Sands,
Mr. J. Sands,

Mr. Joseph Lawrence,
Mr. Speaker,
Mr. Remsen,
Mr. Harper,

Mr. Randall,
Mr. Denning,
Mr. Brinckerhoff,
Mr. M. Smith.

That the words *one naval officer*, were obliterated accordingly.

That Mr. Ford then made a motion, that after the words *Sagg Harbour*, there be added the words *and a Collector for the port of Claverack*, that debates arose on the said motion, and the question being put thereon, it passed in the negative in the manner following, viz.

For the Negative.

Mr. Goforth,
Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Merfereau,
Mr. Hardenbergh,

Mr. Gelfton,
Mr. Joseph Lawrence,
Mr. Coffen,
Mr. C. Sands,
Mr. J. Sands,
Mr. Speaker,

Mr. Remsen,
Mr. John Smith,
Mr. Lockwood,
Mr. Youngs,
Mr. Livingston,
Mr. D'Witt,

Mr. Randall,
Mr. Sickles,
Mr. Denning,
Mr. Cooper,
Mr. N. Smith.

For the Affirmative.

Mr. W. Livingston,
Mr. Younglove,
Mr. Patterson,
Mr. Pell,
Mr. Gilbert,

Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,

Mr. Sherwood,
Mr. Adgate,
Mr. Ford,
Mr. Harper,

Mr. Thompson,
Mr. Clark,
Mr. Brinckerhoff,
Mr. Humphrey.

That the Committee have made further progress in the said bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'Clock, P. M.

A petition of Christina Livingston, Philip Ph. Livingston, Thomas Jones and John H. Livingston, four of the devisees of Philip Livingston Esquire, deceased, was read.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Swartwout, was read, and is in the words following, viz.

"Resolved, If the Honorable the House of Assembly concur herein, that Philip Ph. Livingston, Christina Livingston, Thomas Jones and John H. Livingston, four of the surviving devisees of Philip Livingston, Esquire, deceased, have leave to present to either House of the Legislature, at their next meeting, a bill, to vest the whole real estate of the said Philip Livingston, deceased, in the petitioner Philip Ph. Livingston, Isaac Roosevelt and Robert C. Livingston, Esquires, their heirs and assigns, for the payment

payment of the debts of the said Philip Livingston, deceased; and that the petitioners previously cause a copy of this order to be published for the space of four weeks in one of the public news-papers of this State."

Resolved, That this House do concur with the Honorable the Senate in the said resolution.

Ordered, That Mr. Livingston and Mr. Goforth deliver a copy of the preceding resolution of concurrence to the Honorable the Senate.

Resolved, If the Honorable the Senate concur herein, that John M'Kesson, Esquire, Secretary to the late Convention of this State, do with all convenient speed cause the records and papers of the said Convention to be delivered to the Secretary of this State, and that the Legislature will provide for defraying the expence of the removal thereof.

Ordered, That Mr. Paine and Mr. John Smith deliver a copy of the preceding resolution to the Honorable the Senate for concurrence.

Mr. Ford from the Committee to whom was referred the petition of Thomas Huntington, and others, praying to be naturalized, reported that it is the opinion of the Committee that the prayer of the petitioners should be granted; that the Committee have prepared the draft of a bill for that purpose, and have directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Ford according to leave brought in the said bill, entitled, *An act to naturalize the persons therein named*, which was read the first time and ordered a second reading.

A message from his Excellency the Governor, transmitted to this House by the Honorable the Senate, was read, and is in the words following, viz.

"Gentlemen,

"I Have the honor to lay before you, a letter from the Commissioners of Indian Affairs, and their associates, dated the 21st of October instant, signed by Henry Glen, Esq; as their president, on a subject so interesting to the State, that I trust it will meet your immediate consideration. You will also herewith receive several other letters and papers on Indian affairs, for your information---On these I shall forbear making any comment; especially as the proceedings of the Commissioners, communicated at the opening of the session, contain a minute and faithful detail, not only of all their transactions, but also copies of every letter and message relative thereto; and will enable the Legislature to form a proper judgment of this interesting business.

G E O. C L I N T O N."

New-York, 26th October, 1784.

The papers which accompanied the said message of his Excellency the Governor, were also read.

Ordered, That the said message of his Excellency the Governor and the papers which accompanied the same, be committed to a Committee of the whole House.

A representation from Peter T. Curtenius, Esquire, Auditor for this State, relative to an allowance of seven years half pay to the widows and orphans of persons of a certain description therein mentioned, was read, and referred to Mr. Remsen, Mr. J. Livingston and Mr. Sherwood.

Mr. D'Witt from the Committee of the whole House, on the bill entitled, *An act to pardon Tunis Casey, alias Tunis Keire, of the felony therein mentioned*, reported that the Committee had gone through the bill, and made amendments, which he was directed to report to the House: And he read the report in his place and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Then the House adjourned until ten of the clock to-morrow morning.

THURSDAY, 10 o'Clock, A. M. October 28th, 1784.

Ebenezer Purdy, Esquire, one of the representatives in Assembly returned as duly elected in the county of Westchester, appeared in the Assembly Chamber, and Wal-

ter

ter Livingston, Esquire, one of the Commissioners for that purpose appointed, attended in the Chamber, and Mr. Purdy took and subscribed before him the oath of abjuration and allegiance as by law prescribed.

Ordered, That Mr. Purdy take his seat.

The engrossed bill entitled, *An act to pardon Tunis Casey, alias Tunis Keire, of the felony therein mentioned*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Paine and Mr. John Smith deliver the said bill to the Honorable the Senate for concurrence.

A petition of Michael Connolly, was read, and referred to Mr. Denning, Mr. D'Witt and Mr. Clark.

A petition of Elizabeth Seaman, was read, and referred to Mr. Adgate, Mr. Randall, Mr. Pell and Mr. J. Sands.

A petition of Jacob Whitman, and a petition of John Finck, were read, and referred to Mr. Duncomb, Mr. Clark and Mr. Joseph Lawrence.

A petition of Israel Lyon, John Westcote and others, was read, and referred to Mr. Duncomb, Mr. Pell and Joseph Lawrence.

A petition of Thomas Ivers and others, relative to certain rents in arrear on leases, was read, and referred to Mr. Randall, Mr. Ford and Mr. Baker.

A petition of Duncan Campbell, relative to depreciation of pay which he received while in the service of the United States, was read, and referred to Mr. Doughty, Mr. Talmadge and Mr. Lockwood.

A petition of Hendrick Storm, William Orser and others, was read, and referred to Mr. Brinckerhoff, Mr. Burling, Mr. Youngs, Mr. N. Smith and Mr. Mersereau.

A petition of John Bingham, a prisoner in gaol at New-York, was read, and referred to Mr. Adgate, Mr. Gilbert and Mr. Harper.

The separate petitions of Charles Penny, William Ten Broeck and Nivers Perry, insolvent debtors in gaol in the city of New-York, were read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of John Stevenson, confined in gaol at New-York, on a suit against him for the use and occupation of a dwelling house, and praying a discharge; was read, and ordered to be laid on the table.

Mr. W. Livingston, from the Committee appointed to revise the act, entitled, *An act for granting certain privileges to the college heretofore called King's college, for altering the name and charter thereof, and erecting an university within this State*, reported, that in the opinion of the said Committee, several parts of the said act, by him particularly mentioned, require amendment—That the Committee have prepared a draft of a bill for that purpose, and have directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. W. Livingston, according to leave, brought in the said bill, entitled, *An act to amend an act, entitled, An act for granting certain privileges to the college heretofore called King's college, for altering the name and charter thereof, and erecting an university within this State*; which was read the first time, and ordered a second reading.

Mr. Doughty from the Committee to whom was referred the petition of Pierre Regnier de Roussi, praying an allowance for the depreciation of the pay he received as an officer before he resigned the service in one of the Continental regiments raised in this State, reported, that he is not by any law, entitled to receive any allowance from this State for such depreciation; but that it is the opinion of the Committee, that his case ought to be recommended to Congress.

Resolved, That the House do concur with the Committee in the said report.

Mr. Hardenbergh from the Committee to whom was referred the petition of Jane Blake, sole executrix of the last will and testament of Jonathan Blake, deceased, praying a law to enable her to sell the real estate whereof the said Jonathan died seized, for the payment of his debts, reported, that it is the opinion of the Committee, that the prayer of the petitioner be granted; that the Committee have prepared a draft of a bill for that purpose, and have directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr.

Mr. Hardenbergh, according to leave, brought in the said bill, entitled, *An act for the relief of Jane Blake, and the creditors of her late Husband, Jonathan Blake, deceased*; which was read the first time, and ordered a second reading.

Mr. Denning from the Committee to whom was referred the petition of Sabina Nellis and others, praying a restoration of the estate of Henry W. Nellis, forfeited by his adherence to the enemies of this State, and located in pursuance of a law of this State; and also the petition of George G. Klock, praying that the prayer of the petition of Sabina Nellis and others, may not be granted; reported, that it is the opinion of the Committee, that the prayer of the said petition of Sabina Nellis and others, ought not to be granted.

Resolved, That the House do concur with the Committee in the said report.

Mr. Ford according to leave, brought in a bill, entitled, *An act to licence purchasing of lands from the Oneida and Tuscarora Indians*, which was read the first time, and ordered a second reading.

Mr. D'Witt from the Committee to whom was referred the petition of Joshua Pine, George Briggs and Eden Hunt, assessors of the borough town of Westchester, reported, that it is the opinion of the Committee, that the prayer of the petitioners be granted; and that a bill be ordered to be brought in for that purpose.

Resolved, That the House do concur with the Committee in the said Report; and

Ordered, That the Committee to whom the said Petition was referred, do prepare and bring in such bill.

Whereas it is highly necessary, that this State should be speedily represented in Congress. Therefore

Resolved, (If the Honorable the Senate concur herein) That the Honorable John Jay, Egbert Benson and Zephaniah Platt, Esquires, three of the Delegates from this State, be requested immediately to repair to Trenton, and give their attendance in Congress.

Ordered, That Mr. Paine and Mr. John Smith, deliver a copy of the preceding resolution to the Honorable the Senate.

Mr. Paine made a motion in the words following, viz.

"I move for leave to bring in a bill for emitting thousand pounds in bills of credit of this State, to be put out on loan."

Debates arose on the said motion, and the question being put thereon, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Patterson,
Mr. Pell,

Mr. Lockwood,
Mr. Gilbert,
Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,

Mr. Sherwood,
Mr. Adgate,
Mr. Ford,
Mr. Harper,
Mr. D'Witt,
Mr. Sickles,

Mr. Thompson,
Mr. Clark,
Mr. Brinkerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Purdy,

For the Negative.

Mr. Duncomb,
Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. W. Livingston,

Mr. Mercereau,
Mr. Gellson,
Mr. Joseph Lawrence,
Mr. Corfen,
Mr. C. Sands,

Mr. J. Sands,
Mr. Remsen,
Mr. John Smith,
Mr. Baker,

Mr. Youngs,
Mr. J. Livingston,
Mr. Randall,
Mr. Denning,

Thereupon *Ordered*, That Mr. Paine have leave to bring in such bill.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

The bill, entitled, *An act to appoint agents or commissioners for vindicating the right and jurisdiction of this State against the claims of the commonwealth of Massachusetts, pursuant to the articles of Confederation and Perpetual Union of the United States*, was read a second time, and committed to a Committee of the whole House.

Mr. Duncomb, from the Committee of the whole House, on the bill, entitled, *An act for the establishment of a custom house, and other purposes therein mentioned*, reported, that the Committee have made further progress in the bill, and have directed him to move for leave to sit again.

Ordered,

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

FRIDAY, 10 o'Clock, A. M. October 29th, 1784.

Volkert Veeder, Esquire, one of the Representatives in Assembly, returned as duly elected in Montgomery county; appeared in the Assembly chamber; and Walter Livingston, Esquire, one of the commissioners for that purpose appointed, attended in the chamber, and Mr. Veeder took and subscribed before him the oath of abjuration and allegiance, as by law prescribed.

Ordered, That Mr. Veeder take his seat.

A petition of Abraham Wemple, Hendrick K. Van Rensselaer and Abraham Cuyler, was read, and referred to Mr. Cooper, Mr. Paine and Mr. C. Sands.

A petition of John Quick, and thirty-three other persons, tenants in Westchester county, was read, and referred to the members of this House from the said county.

A petition of Richard Deane, an insolvent debtor, and a petition of John Rice, and sundry others of the creditors of the said Richard Deane, were respectively read, and referred to Mr. Patterson, Mr. Dunscomb, and Mr. Ford.

A petition of John Murray, on behalf of the inhabitants of Mayfield, in Caughnewaga district, in Montgomery county, was read, and referred to Mr. Brinckerhoff; Mr. Burling, Mr. Youngs, Mr. N. Smith and Mr. Merfereau.

A petition of William Nicholls, of the county of Albany, an insolvent debtor in gaol at New-York, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of William Wisheham, formerly of the city of New-York, merchant, praying permission by law to return to be an inhabitant of this State, with a certificate attending the same, were read, and ordered to be laid on the table.

A petition of William Dove, praying to be naturalized, was read, and ordered to be laid on the table.

A petition of Miles Sherbrook, praying that his attainder may be reversed, with sundry certificates attending the same, were read, and referred to Mr. Remsen, Mr. Adgate, Mr. Gelston, Mr. D'Witt, Mr. Joseph Lawrence, Mr. Vanderbilt, Mr. Corfen, Mr. Gilbert, Mr. Clark, Mr. Humfrey, Mr. J. Livingston and Mr. Hopkins.

A petition of James Bingham and Jacob Winne, relative to certificates due to them as issuing commissaries during the late war, was read, and referred to Mr. Livingston, Mr. Paine and Mr. Purdy.

A petition of John Miller; a petition of Barne Bowers and Johannes Morgen, and a petition of Charles Struve, Bohl Bohlen, Peter Mabe, Willem De Waal and Christian Smack respectively, praying to be naturalized, were read, and committed to a committee of the whole House, to be taken into consideration with the bill now before the House for the naturalization of the persons therein named.

A petition of Mary Aaronfet, praying some allowance for a mortgage on a forfeited estate by her purchased; (which mortgage is deemed by this House to be fraudulent) was read, and ordered to be laid on the table.

A petition of Derick Van Ingen, with sundry certificates attending the same, were read, and referred to Mr. Doughty, Mr. Brinckerhoff and Mr. Adgate.

Mr. Remsen, from the Committee to whom was referred the representation of Peter T. Curtenius, auditor for this State, relative to the widows and orphans of persons who deceased while engaged in the levy service, and the service for three years, reported, that it is the opinion of the Committee, that the act of the Legislature of this State relative to the relief of the widows of officers and soldiers of the line of this State, requires amendment; that the Committee have prepared a draft of a bill for that purpose, and directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Remsen, according to leave, brought in the said bill, entitled, *An act to amend an act, entitled, an act for the relief of widows and orphans of officers and soldiers of the line of this State, and of the militia thereof, passed 17th April, 1784*; which was read the first time, and ordered a second reading.

Mr. Randall, from the Committee to whom was referred the petition of Thomas Ivers, and others, praying to be relieved from paying rents for Houses in the city of New-York, from the time they were necessitated to abandon their habitations, when
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the British troops took possession of the said city, until they were enabled to return to the possession thereof when the American army returned to the same, report that it is the opinion of the Committee, that the prayer of the petition ought to be granted, and that a bill be ordered to be prepared and brought in for that purpose.

Resolved, That the House do concur with the Committee in the said report; and

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such bill.

Mr. Duncomb, from the Committee to whom was referred the petition of Israel Lyon, and others, praying relief as to debts and monies due on simple contract, from the estate of Stephen Holmes, late of Bedford, in Westchester county, deceased, which estate has since been forfeited to the people of this State, by the conviction of Lewis Holmes, for having adhered to the Enemies of this State; and that the amount of the Sale of the said estate may be distributed amongst them, in proportion to their respective demands, reported, that it is the opinion of the Committee that the prayer of the petitioners be granted, and that a bill be ordered to be brought in for the purpose.

Resolved, That the House do concur with the Committee in the said report; and

Ordered, That the said Committee to whom the said petition was referred, do prepare and bring in such bill.

Mr. Mersereau, from the Committee to whom was referred the petition of Jonas Denton, of Orange county, praying an exemption from any demand of the people of this State for a limited term, of any part of the profits of a Mine, discovered on his own estate, reported, that it is the opinion of the Committee that such adventurers ought to be encouraged, and that the prayer of the petitioner should be granted—That the Committee have prepared a draft of a bill for that purpose, and have directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Mersereau, according to leave, brought in the said bill, entitled, *An act to exempt Jonas Denton, his heirs, executors, administrators, or assigns, from paying any part or share of the produce of a Mine, in the county of Orange, to the people of this State as sovereign thereof, until the first day of May, which will be in the year of our Lord, One thousand seven hundred and* which was read the first time, and ordered a second reading.

A message from the Honorable the Senate, was delivered by Mr. Roosevelt, with the bill therein mentioned, that the Senate have passed a bill, entitled, *An act to vest the real estate of Anthony Byvanck, the elder, deceased, in trustees, for the payment of his debts, and for other purposes*, to which they request the concurrence of this House.

The said bill was read the first time, and ordered a second reading.

The bill, entitled, *An act for the relief of Jane Blake, and the creditors of her late husband Jonathan Blake*; the bill, entitled, *An act to licence the purchasing of lands from the Oneida and Tuscarora Indians*; the bill, entitled, *An act to naturalize the persons therein named*, and the bill, entitled, *An act to amend an act, entitled, an act for granting certain privileges to the College, heretofore called King's College, for altering the name and charter thereof, and erecting an university within this State*, were respectively read a second time, and committed to a Committee of the whole House.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

Mr. C. Sands, from the Committee appointed to enquire why the tax has not been collected in the southern district, pursuant to a law passed at the last session of the Legislature; and also why the arrearages of taxes have not been collected throughout the State, reported, that the law passed at the last session for raising £. 100,000, in the southern district, was by some neglect not delivered to some of the proper officers within the time limited by the said act; that the assessments have notwithstanding been made throughout the district, but cannot be collected in some parts of the district, until a law is passed for the purpose.

That it also appears to the Committee, from the best information they can at present obtain, that large Sums of money are still in arrear from the other districts in the State for taxes laid before the conclusion of the peace, and that the act, passed the 24th July, 1782, entitled, *An act to compel the payment of the arrearages of taxes*, has not been

carried

carried fully into execution, and wants amendment; that the Committee are therefore of opinion, that a bill be brought in to enforce the speedy and effectual collecting of taxes, in the southern district; and also to amend the act, entitled, *An act to compel the payment of the arrearages of taxes, passed the 24th July, 1782*, so as to make it effectual to enforce the payment of the arrearages of taxes, in the counties therein mentioned.

Mr. C. Sands read the said report in his place, and delivered it in at the table, where the same was again read, and agreed to by the House.

Ordered, That the Committee who made the preceding report, do prepare and bring in a bill for the purposes in the said report mentioned.

Mr. Harper made a motion that the House reassume the consideration of the proposed resolutions, mentioned in the Journal of this House, on the morning of the 27th instant, the further consideration whereof was at that time postponed; the said resolutions being read, and the question being put on the motion of Mr. Harper, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Goforth,	Mr. Talmadge,	Mr. Ford,	Mr. Denning,
Mr. Becker,	Mr. Hopkins,	Mr. J. Livingston,	Mr. Clark,
Mr. Younglove,	Mr. Baker,	Mr. Harper,	Mr. Brinckerhoff,
Mr. Patterson,	Mr. Sherwood,	Mr. D'Witt,	Mr. Cooper,
Mr. Burling,	Mr. Adgate,	Mr. Thompson,	Mr. Veeder.

For the Negative.

Mr. Duncomb,	Mr. Hardenbergh,	Mr. Remsen,	Mr. Townsend,
Mr. Vanderbilt,	Mr. Gelston,	Mr. John Smith,	Mr. Randall,
Mr. Livingston,	Mr. Corfen,	Mr. Gilbert,	Mr. Purdy,
Mr. W. Livingston,	Mr. C. Sands,	Mr. Youngs,	Mr. Doughty,
Mr. Mersereau,	Mr. J. Sands,	Mr. Joseph Lawrence,	

The said resolutions were again read, and the House proceeded in the consideration thereof; and, after some time spent thereon, Mr. Adgate made a motion in the words following, viz.

"I move that Mr. Speaker ask Mr. Randall, a member of this House, in his place, whether in a late trial had before the Mayor's court, held for the city and county of New-York, in a suit commenced by Rutgers against Waddington, on the act for granting a more effectual relief in cases of certain trespasses, it was declared by the said court, that the plaintiff ought not to recover any damages for the time the defendant occupied a messuage under the order of the British commander in chief."

The said motion having been read, Mr. Hardenbergh made a motion in the words following, to wit,

"I move that the sense of this House be taken, whether the House should call for records, or other evidence of any court, on a motion for a resolution concerning a court."

The said motion being read, Mr. Brinckerhoff moved for the previous question, whether the question on the motion of Mr. Hardenbergh should be now put; and the question being put, on the motion of Mr. Brinckerhoff, it was carried in the affirmative, that the question on the motion of Mr. Hardenbergh should not be now put.

A motion was then made for the question on the motion of Mr. Adgate; whereupon

Mr. Mersereau made a motion for the previous question, whether the question on the motion of Mr. Adgate should be now put.

Debates arose on the said motion of Mr. Mersereau, and the question being put thereon, it was carried in the affirmative, (that the question on the motion of Mr. Adgate should not be now put) in the manner following, viz.

For the Affirmative,

Mr. Duncomb,	Mr. Mersereau,	Mr. C. Sands,	Mr. D'Witt,
Mr. Doughty,	Mr. Hardenbergh,	Mr. J. Sands,	Mr. Townsend,
Mr. Vanderbilt,	Mr. Gelston,	Mr. Remsen,	Mr. Randall,
Mr. Livingston,	Mr. Joseph Lawrence,	Mr. John Smith,	Mr. Clark,
Mr. W. Livingston,	Mr. Corfen,	Mr. Youngs,	Mr. Veeder.

For the Negative,

Mr. Goforth,	Mr. Burling,	Mr. Sherwood,	Mr. Thompson,
Mr. Becker,	Mr. Talmadge,	Mr. Adgate,	Mr. Denning,
Mr. Younglove,	Mr. Hopkins,	Mr. Ford,	Mr. Brinckerhoff,
Mr. Patterson,	Mr. Baker,	Mr. Harper,	Mr. Cooper.
Mr. Gilbert,			

Mr.

Mr. Harper then made a motion in the words following, viz.

"I move that the Clerk of the Mayor's Court of the city and county of New-York, be ordered to attend this House on Tuesday next at eleven of the clock in the forenoon, with the records of the trial lately had before the said Court, in a suit commenced by Rutgers against Waddington, on the act for granting a more effectual relief in cases of certain trespasses."

Debates arose on the last mentioned motion, and the Question being put thereon, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Duncomb,	Mr. Patterson,	Mr. Adgate,	Mr. Denning,
Mr. Goforth,	Mr. Gilbert,	Mr. Ford,	Mr. Brinckerhoff,
Mr. Livingston,	Mr. Talmadge,	Mr. Harper,	Mr. Cooper,
Mr. Becker,	Mr. Baker,	Mr. D'Witt,	Mr. Veeder,
Mr. Younglove,	Mr. Sherwood,	Mr. Thompson,	Mr. Hopkins.

For the Negative.

Mr. Doughty,	Mr. Gelston,	Mr. C. Sands,	Mr. Townsend,
Mr. Vanderbilt,	Mr. Hardenbergh,	Mr. J. Sands,	Mr. Randall,
Mr. W. Livingston,	Mr. Joseph Lawrence,	Mr. John Smith,	Mr. Clark.
Mr. Merfereau,	Mr. Corfen,	Mr. Youngs,	

Thereupon Ordered, That the Clerk of the Mayor's Court, of the city and county of New-York, do attend this House on Tuesday next at eleven of the clock in the forenoon, with the records of the trial lately had before the said Court, in a suit commenced by Rutgers against Waddington, on the act for granting a more effectual relief in cases of certain trespasses.

Then the House adjourned until ten of the clock to-morrow morning.

SATURDAY, 10 o'Clock, A. M. October 30th, 1784.

A petition of Benjamin Birdfall, of Hempstead in Queen's county, with a certificate attending the same, were read, and referred to Mr. Humfrey, Mr. Veeder and Mr. Townsend.

A representation of the said Benjamin Birdfall, relative to lands at Fort Neck, in Queen's county, was read, and referred to Mr. Adgate, Mr. Brinckerhoff and Mr. D'Witt.

A petition of Abraham Becker, of Schohary, on behalf of himself and other of the inhabitants of the same place, was read, and referred to Mr. W. Livingston, Mr. Harper and Mr. J. Sands.

A petition of Henry Remsen and Solomon Simson, was read, and referred to Mr. Burling, Mr. Brinckerhoff and Mr. Hardenbergh.

The bill entitled, *An act to amend an act, entitled, an act for the relief of widows and orphans of officers and soldiers of the line of this State, and of the militia thereof, passed the 17th of April, 1784; and the bill entitled, An act to exempt Jonas Denton, his heirs, executors, administrators and assigns from paying any part or share of the produce of a mine in the county of Orange, to the people of this State as sovereign thereof until the first day of May, which will be in the year of our Lord one thousand seven hundred and* were respectively read a second time and committed to a committee of the whole House.

Mr. C. Sands from the committee appointed for that purpose (according to order) brought in a bill entitled, *An act more effectually to carry into execution the act entitled, an act for raising 100,000l. within the several counties therein mentioned, passed the 6th May, 1784, and also the act entitled, an act to compel the payment of the arrearages of taxes passed 24th July, 1782, and for other purposes therein mentioned,* which was read the first time and ordered a second reading.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Allison, was read, concurring with this House in their resolution of the 27th instant, relative to the records and papers of the late Convention of this State; and also concurring with this House in their resolution of the 28th instant, requesting three of the Delegates from this State therein named, to repair to Trenton, and give their attendance in Congress.

A message from the Honorable the Senate, was delivered by Mr. Floyd, with the bill therein mentioned, that the Senate have passed the bill, entitled, *An act to pardon Tunis Casey, alias Tunis Keire of the felony therein mentioned,* without amendment.

Ordered,

Ordered, That Mr. Gelfton and Mr. John Smith deliver the said bill to the Honorable the Council of Revision.

Mr. Mesereau, from the Committee of the whole House, on the bill, entitled, *An act to appoint agents or commissioners for vindicating the right and jurisdiction of this State against the claims of the commonwealth of the Massachusetts, pursuant to the articles of Confederation and Perpetual Union of the United States*, reported, that the Committee had gone through the bill, and made an amendment, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendment in at the table, where the same were again read, and agreed to by the House.

The bill and amendment were then read a third time.

Resolved, That the bill and amendment do pass.

Ordered, That Mr. Denning and Mr. Thompson return the said bill, with the amendment, to the Honorable the Senate, and inform them that this House have passed the bill, with the amendment therewith delivered.

Then the House adjourned until Monday next at ten of the clock in the forenoon.

MONDAY, 10 o'Clock, A. M. November 1st, 1784.

A petition of James Wilson, of Schenectady, in the county of Albany, was read, and referred to Mr. Randall, Mr. Patterson and Mr. Hopkins.

A petition of Christopher Codwise, alledging that he is an insolvent debtor; and a petition of John Henry Heybruck, an insolvent debtor in gaol in the city of New-York, were respectively read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of Roswell Hopkins, of Dutchess county, with a certificate attending the same, were read, and referred to Mr. Paine, Mr. C. Sands and Mr. Gilbert.

A memorial of Abraham Lott, treasurer of the late colony of New-York, was read, and referred to Mr. D'Witt, Mr. C. Sands, Mr. Adgate, Mr. W. Livingston and Mr. Vanderbilt.

A petition of Alkan Abraham Van Ottingen; and a petition of Conrad Harriett, Frederic Myer, Carl Gilly, Henry Klapp and Henry Frederick, severally praying to be naturalized, were read, and referred to Mr. Ford, Mr. Cooper and Mr. Joseph Lawrence.

Mr. Dunscomb, from the Committee of the whole House, on the bill, entitled, *An act for the establishment of a custom house, and other purposes therein mentioned*, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'Clock, P. M.

Mr. Dunscomb, from the Committee of the whole House, on the bill, entitled, *An act for the establishment of a custom house, and other purposes therein mentioned*, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Mr. Ford, from the Committee of the whole House, on the bill, entitled, *An act for the relief of Jane Blake, and the creditors of her late Husband Jonathan Blake, deceased*, reported, that the Committee have gone through the bill, without amendment, which he was directed to report to the House; and he read the report in his place, and delivered the bill in at the table, where the same was again read, and agreed to by the House.

Ordered, That the bill be engrossed.

The bill, entitled, *An act to vest the real estate of Anthony Byvanck, the elder, deceased, in trustees, for the payment of his debts, and other purposes*, was read a second time, and committed to a Committee of the whole House.

Then the House adjourned until ten of the clock to-morrow morning.

TUESDAY, 10 o'Clock, A. M. November 2d, 1784.

A petition of Solomon Combs, an insolvent debtor, in gaol, in Ulster county, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson, and Mr. Jeffrey Smith.

Mr. Doughty, from the Committee to whom was referred the petition of Duncan Campbell, setting forth that he served in one of the Continental regiments, under the command of Col. James Livingston, until the 15th day of June, 1779, and praying an allowance for the depreciation of the pay he received, reported, that it is the opinion of the committee, that as the petitioner was in the service of the United States, he cannot have any claim on this State in particular for the depreciation of his pay—but that it is the opinion of the Committee that his case be recommended to Congress.

Resolved, That the House do concur with the Committee in the said report.

Mr. Doughty, from the Committee to whom was referred the petition of Dirck Van Ingen, reported, that it appears to the Committee that the petitioner faithfully served the United States as a surgeon in the Hospital department, for the time set forth in his petition; but being discharged as a supernumerary, on the 18th day of January 1780, he has not received any allowance for the depreciation of his pay; that although the petitioner was discharged before the 10th day of April 1780, and therefore was not provided for by the act of Congress of the 20th February 1782, it is nevertheless the opinion of the Committee that he ought to be provided for; that as no provision has yet been made for him by Congress, it would be improper for the State to grant the prayer of his petition until that is obtained; that for obtaining such provision the Committee had prepared a draft of a resolution which they had directed him to report to the House; and the said resolution being read, was concurred in by the House; thereupon

Resolved, If the Honorable the Senate concur herein, that it be recommended to Congress to allow to Dirck Van Ingen the depreciation of the pay he received for the time he served as a surgeon in the general hospital, notwithstanding his being deranged as a supernumerary by the act of Congress of the 30th of September, 1780.

Ordered, That Mr. Adgate and Mr. Doughty deliver a copy of the last preceding resolution to the Honorable the Senate.

Mr. Randall, from the Committee who reported on the petition of Thomas Ivers, and others, according to order, brought in a bill, entitled, *An act for giving relief to lessees deprived of the benefit of their leases, during the late war*; which was read the first time, and ordered a second reading.

Mr. Humfrey, from the Committee to whom was referred the petition of Auley M'Aulay, Administrator of the goods and chattels, rights and credits, which were of Donald M'Aulay, deceased, praying a reimbursement of the monies arising from the sale of the effects of the said Donald M'Aulay by the Commissioners of Sequestration, in Dutchess county, on a suggestion that the said Donald M'Aulay had adhered to the enemy during the late war, reported, that it is the opinion of the Committee that the prayer of the petitioner ought to be granted, and that a bill be ordered to be prepared and brought in for that purpose.

Mr. Humfrey read the said report in his place, and delivered it in at the table, where the same was again read.

The question being put, whether the House did concur with the Committee in the said report, it passed in the negative.

The order of the day for the attendance of the Clerk of the Mayor's Court, with the Records and papers in the case of Rutgers against Waddington, being read, and Robert Benson, Esquire, Clerk of the said Court, being attending with the records and papers in the said cause, the House proceeded to the further consideration of the resolutions on that subject, with their recital as entered in the journal of this House on the 27th ult. the said resolutions with the recital preceding the same, were read, and the pleadings and judgment in the said cause, were also read.

Mr. Purdy then made a motion, that the recital preceding the said resolutions be amended, which being concurred in by the House, the said recital, as amended, is in the words following, viz.

“Whereas

"Whereas at a late trial had before the Mayor's Court in the city of New-York, in a suit commenced by Rutgers against Waddington, on the *Act for granting a more effectual relief in cases of certain trespasses*, notwithstanding it is specially provided by the said act, that no defendant or defendants shall be admitted to plead in justification, any military order or command whatever of the enemy for any occupancy, injury, destruction, purchase or receipt, nor to give the same in evidence on the general issue, the said Court did admit of the plea of the defendant, wherein he did plead that he occupied under the licence and permission of the then British Commander in Chief, for a part of the time of occupancy charged against him; and that therefore the plaintiff ought not to recover for that time of his so occupying: Which plea being admitted by the said court, judgment was given accordingly.

Mr. C. Sands then made a motion that the further consideration of the said resolutions and recital, be postponed until Tuesday next.

Debates arose on the said motion, and the question being put thereon, it passed in the negative in the manner following, viz.

For the Negative.

Mr. Duncomb,
Mr. Goforth,
Mr. Becker,
Mr. Younglove,
Mr. Corfen,
Mr. Patterson,
Mr. Thomas,

Mr. Gilbert,
Mr. Burling,
Mr. Paine,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. Adgate,

Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Sickles,
Mr. Thompson,
Mr. Denning,

Mr. Clark,
Mr. Cooper,
Mr. Humfrey,
Mr. Purdy,
Mr. Veeder,

For the Affirmative.

Mr. Doughty,
Mr. Vandesbilt,
Mr. Livingston,
Mr. W. Livingston,

Mr. Merfereau,
Mr. Hardenbergh,
Mr. Gelfon,
Mr. Joseph Lawrence,

Mr. C. Sands,
Mr. J. Sands,
Mr. John Smith,
Mr. D'Witt,

Mr. Townsend,
Mr. Randall,
Mr. Remsen,

The said recital as amended, and the first of the said resolutions being again read, are in the words following, viz.

"Whereas at a late trial had before the Mayor's Court in the city of New-York, in a suit commenced by Rutgers against Waddington, on the *Act for granting a more effectual relief in cases of certain trespasses*, notwithstanding it is specially provided by the said act that no defendant or defendants shall be admitted to plead in justification, any military order or command whatever of the enemy, for any occupancy, injury, destruction, purchase or receipt, nor to give the same in evidence on the general issue, the said Court did admit of the plea of the defendant, wherein he did plead that he occupied under the licence and permission of the then British Commander in Chief for a part of the time of occupancy charged against him; and that therefore the plaintiff ought not to recover for the time of his so occupying: Which plea being admitted by the said Court, judgment was given accordingly.

Resolved, That the adjudication aforesaid is in its tendency subversive of all law and good order, and leads directly to anarchy and confusion, because if a Court instituted for the benefit and government of a corporation, may take upon them to dispense with, and act in direct violation of a plain and known law of the State, all other Courts either superior or inferior may do the like; and therewith will end all our dear bought rights and privileges, and Legislatures become useless.

The said recital and resolution being read, the question was put, whether the House did concur therein, and it passed in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Remsen,
Mr. Patterson,
Mr. Thomas,

Mr. Gilbert,
Mr. Burling,
Mr. Paine,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,

Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Sickles,
Mr. Thompson,

Mr. Denning,
Mr. Clark,
Mr. Cooper,
Mr. Humfrey,
Mr. Purdy,
Mr. Veeder.

For the Negative.

Mr. Duncomb,
Mr. Doughty,
Mr. Vandesbilt,
Mr. Livingston

Mr. W. Livingston,
Mr. Merfereau,
Mr. Gelfon,
Mr. Joseph Lawrence,

Mr. Corfen,
Mr. C. Sands,
Mr. J. Sands,
Mr. John Smith,

Mr. D'Witt,
Mr. Townsend,
Mr. Randall.

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The other of the said resolutions being read, is in the words following, viz.

Therefore Resolved, That it be recommended to the Honorable the Council of Appointment, at their next appointments to appoint such persons to be Mayor and Recorder of the city of New-York, as will govern themselves by the known laws of the land.

The said resolution being again read, the question was put whether the House did concur in the same, and it passed in the negative in the manner following, viz.

For the Negative.

Mr. Duncomb,
Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. W. Livingston,
Mr. Merfereau,
Mr. Gelston,
Mr. Younglove,

Mr. Joseph Lawrence,
Mr. Corfen,
Mr. C. Sands,
Mr. J. Sands,
Mr. Remfen,
Mr. Thomas,
Mr. John Smith,
Mr. Gilbert,

Mr. Burling,
Mr. Paine,
Mr. Sherwood,
Mr. J. Livingston,
Mr. D'Witt,
Mr. Townsend,
Mr. Randall,
Mr. Sickles,

Mr. Thompson,
Mr. Denning
Mr. Clark,
Mr. Cooper.
Mr. Humfrey,
Mr. Purdy.
Mr. Veeder.

For the Affirmative.

Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,

Mr. Patterson,
Mr. Hopkins,

Mr. Baker,
Mr. Adgate,

Mr. Ford,
Mr. Harper.

Thereupon the House concurred in the recital and resolution following, viz.

Whereas in a late trial had before the Mayor's court in the city of New-York, in a suit commenced by Rutgers against Waddington, on the *Act for granting a more effectual relief in cases of certain trespasses*, notwithstanding it is specially provided by the said act, that no defendant or defendants shall be admitted to plead in justification any military order or command whatever of the enemy, for any occupancy, injury, destruction, purchase or receipt, nor to give the same in evidence on the general issue, the said court did admit of a plea of the defendant, wherein he did plead that he occupied under the licence and permission of the then British commander in chief, for a part of the time of occupancy charged against him; and that therefore the plaintiff ought not to recover for the time his so occupying; which plea being admitted by the said court, judgment was given accordingly.

Resolved, That the judgment aforesaid, is in its tendency, subversive of all law and good order, and leads directly to anarchy and confusion; because if a court instituted for the benefit and government of a corporation may take upon them to dispense with and act in direct violation of a plain and known law of the State, all other courts, either superior or inferior may do the like; and therewith will end all our dear bought rights and privileges, and Legislatures become useless."

Then the House adjourned until three of the clock, in the afternoon.

3 o'clock, P. M.

Mr. D'Witt made a motion in the words following, viz.

"I move that a Committee be appointed to bring in a bill for the institution of a court for the trial of impeachments and correction of errors."

The question being put on the said motion, it passed in the affirmative, *nem. con.*

Thereupon Ordered, That agreeable to the 32d and 33d articles of the constitution a bill be prepared and brought in to institute a court for the trial of impeachments and correction of errors; and that Mr. J. Livingston, Mr. D'Witt and Mr. Thomas be a committee to prepare and bring in the same.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, reported, that the Committee have made some progress therein, and have directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

WEDNESDAY, 10 o'Clock, A. M. November 3d, 1784.

A petition of William B. Alger, of Dutchess County, was read, and referred to Mr. Burling, Mr. C. Sands and Mr. Humfrey.

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A petition of Abraham Lott, guardian of Gertrude Coejemans, and Andrew Coejmans, was read, and referred to Mr. Livingston, Mr. N. Smith and Mr. Ford.

A petition of Christopher Colles, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Remsen, Mr. Thompson and Mr. Harper.

A petition of Susannah De Milt, and a petition of Matthew Granger, were respectively read, and referred to Mr. Duncomb, Mr. Clark and Mr. Joseph Lawrence.

A petition of William Robison, and sundry other insolvent debtors, confined in gaol at New-York, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

Mr. Patterson, from the Committee to whom was referred the petition of Richard Deane, and the petition of sundry creditors of the said Richard Deane, praying that he may by law be enabled to assign his estate for the benefit of his creditors, reported, that it is the opinion of the Committee, that the prayer of the petitioners should be granted; that the Committee have prepared a bill for that purpose, and directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Patterson, according to leave, brought in the said bill, entitled, *An act for the relief of Richard Deane, and his creditors*, which was read the first time, and ordered a second reading.

Mr. Humfrey, from the Committee to whom was referred the petition of William Penny, a collector of taxes in Fredricksburgh precinct, in Dutchess county, praying relief as to certain sums in counterfeit bills of credit by him received in payment of taxes, and returned to him by the county treasurer, reported, that it is the opinion of the Committee, that the prayer of the petitioner be granted, and for that purpose that a clause be ordered to be prepared and brought in, and inserted in the bill now before the House for more effectually collecting the arrears of tax, to enable the proper officers to assess and collect the value of the said counterfeit bills, together with the next precinct tax, in the said precinct.

Resolved, That the House do concur with the Committee in the said report; and

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such clause.

The bill, entitled, *An act more effectually to carry into execution the act, entitled, an act for raising £. 100,000, within the several counties therein mentioned, passed the 6th May, 1784, and also the act, entitled, an act to compel the payment of the arrearages of taxes, passed July 1782, and for other purposes therein mentioned*, was read a second time, and committed to a Committee of the whole House.

A message from the Honorable the Senate, was delivered by Mr. Whiting, with the Bill therein mentioned, that the Senate have concurred in the amendment to the bill, entitled, *An act to appoint Agents or Commissioners for vindicating the right and jurisdiction of this State, against the claims of the Commonwealth of the Massachusetts, pursuant to the articles of confederation and perpetual union of the United States*, and have amended the bill accordingly.

The bill having been examined;

Ordered, That Mr. Hardenbergh and Mr. J. Sands return the same to the Honorable the Senate.

Mr. Clark from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, reported that in proceeding in the bill, a paragraph was read, for exempting from duty, copper in sheets, which may be imported into this State: That debates arose on the said paragraph, and the question being put, whether the Committee did agree to the same, it was carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Duncomb,
Mr. Gosforth,
Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Baker,
Mr. Mercereau,

Mr. Gellston,
Mr. Younglove,
Mr. Corfen,
Mr. C. Sands,
Mr. J. Sands,
Mr. Remsen,

Mr. Patterson,
Mr. Thomas,
Mr. Jeffrey Smith,
Mr. J. Livingston,
Mr. D'Witt,
Mr. Randall,

Mr. Sickles,
Mr. Thompson,
Mr. Denning,
Mr. Brinckerhoff,
Mr. N. Smith,
Mr. Humfrey.

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For

For the Negative.

Mr. Hardenbergh,
Mr. Speaker,
Mr. John Smith,
Mr. Gilbert,

Mr. Burling,
Mr. Paine,
Mr. Hopkins,
Mr. Baker,

Mr. Sherwood,
Mr. Adgate,
Mr. Ford,
Mr. Harper,

Mr. Townsend,
Mr. Cooper,
Mr. Purdy,
Mr. Veeder.

That the Committee have made further progress in the said bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

The engrossed bill, entitled, *An act for the relief of Jane Blake, and the creditors of her late Husband Jonathan Blake, deceased*, was read a third time.

Mr. Adgate then made a motion, that the said bill be recommitted to a Committee of the whole House; thereupon

Ordered, That the said bill be recommitted to a Committee of the whole House.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this state*, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

THURSDAY, 10 o'clock, A. M. November 4th, 1784.

A petition of Mary Van Dyck, was read, and referred to Mr. Goforth, Mr. Jeffrey, Smith and Mr. Purdy.

A petition of Samuel Franklin and Co. was read, and referred to Mr. Denning, Mr. Brinckerhoff and Mr. Gelston.

A petition of Silvanus Seely, with two certificates attending the same; and a petition of Gilbert Chargin, with a certificate thereto subjoined; were respectively read, and referred to Mr. Thomas, Mr. Sherwood and Mr. Thompson.

A petition of Charles Meal; and a petition of John Joost Zabriski, insolvent debtors in gaol at New-York; and a petition of Phineas Leach, an insolvent debtor in gaol, in Montgomery county, were respectively read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of Jacob Mark, praying that an act may be passed for his naturalization, was read, and referred to Mr. Ford, Mr. Cooper and Mr. Joseph Lawrence.

A petition of Margaret Morewife, was read, and referred to Mr. Randall, Mr. Baker, and Mr. Veeder.

Mr. Burling, from the Committee, to whom was referred the petition of George Head, and others, on behalf of Zebulon Walbridge, praying that he may be permitted to return to this State, reported, that it is the opinion of the Committee that the prayer of the petition be granted, and the name of the said Zebulon Walbridge be inserted in the bill; which was ordered to be brought in to permit the return of Stephen Baxter into this State.

Resolved, That the House do concur with the Committee in the said report.

Mr. Burling, from the Committee who reported on the petition of the said Stephen Baxter, according to order, brought in a bill, entitled, *An act to permit the return of Stephen Baxter and Zebulon Walbridge, into this State*; which was read the first time, and ordered a second reading.

Mr. Harper, from the Committee who reported on the petition of Ludiwig Shoub and Peter Learman, according to order, brought in a bill, entitled, *An act to exempt Ludiwig Shoub and Peter Learman, from paying any part, or share of the produce of a Mine, in the county of Westchester to the people of this State, as sovereign thereof, until the day of May, in the year of our Lord, one thousand seven hundred and*; which was read the first time, and ordered a second reading.

Mr. Doughty, from the Committee who reported on the petition of Pierre Rignier de Roussi, according to order, presented to the House a resolution, which being read, and concurred in, is in the words following, viz.

Resolved,

Resolved, (If the Honorable the Senate concur herein) That it be recommended to Congress to make good the depreciation of his pay to Lieut. Col. Pierre Rignier de Rouffi, notwithstanding his leaving the service of the United States, previous to the 10th day of April, 1780; and also to make good the depreciation of his pay to Lieut. Duncan Campbell, a supernumerary officer in Col. James Livingston's regiment in the service of the United States.

Ordered, That Mr. Doughty and Mr. Becker deliver a copy of the last preceding resolution to the Honorable the Senate.

Mr. Mersereau moved for leave to bring in a bill to amend two certain acts, to be therein mentioned, for granting a more effectual relief in cases of certain trespasses.

Ordered, That leave be given accordingly.

Mr. Mersereau according to leave, brought in the said bill entitled, *An act to amend two acts therein mentioned for granting a more effectual relief in cases of certain trespasses*, which was read the first time and ordered a second reading.

The bill entitled, *An act for giving relief to lessees deprived of the benefit of their leases during the late war*, and the bill entitled, *An act for the relief of Richard Deane and his creditors*, were respectively read a second time, and committed to a Committee of the whole House.

Mr. Clark from the Committee of the whole House on the bill entitled, *An act imposing duties on certain goods wares and merchandize imported into this State*, reported, that the Committee had made further progress therein and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

A message from the Honorable the Senate, delivered by Mr. Paine, with the bill therein mentioned, that the Senate have passed a bill, entitled, *An act to empower Ferdinandus Suydam, Elizabeth Debeavois and John Vanderbilt, administrators with the will annexed to Jacobus Debeavois, deceased, to execute the trust and power given to the executors, in the said will named*; and also a bill, entitled, *An act to empower Elizabeth Debeavois, widow, and Johannis E. Lott, and John Vanderbilt, Esquires, administrators to the estate of Joost Debeavois, deceased, to sell and dispose of the real estate of the said Joost Debeavois, for the payment of his debts, and other purposes*, to which they request the concurrence of this House; each of the said bills respectively was read the first time, and ordered a second reading.

A message from his Excellency the Governor, was read, and is in the words following, viz.

"GENTLEMEN,

"As the proposals contained in the letter and papers which accompany this message came from a character truly respectable; and appear to have been influenced by a desire to promote the great cause of religion and humanity, I am persuaded they cannot fail to engage your serious attention.

G E O. C L I N T O N."

New-York, 3d Nov. 1784.

The letter and papers, which accompanied the message of his Excellency the Governor, were also read.

Ordered, That the said letter and papers be referred to a Committee; and that Mr. Dunscomb, Mr. Sickles and Mr. Ford, be a Committee for that purpose.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until nine of the clock to-morrow morning.

FRIDAY, 9 o'Clock, A. M. November 5th, 1784.

Aaron Burr, Esq. one of the representatives, returned as duly elected in the city and county

county of New-York, appeared in the Assembly chamber. *Ordered*, That Mr. Thomas and Mr. N. Smith attend before one of the commissioners for that purpose appointed, with Mr. Burr, and see him qualified.

A petition of Arthur Youmans, was read, and referred to Mr. Clark, Mr. Joseph Lawrence, and Mr. Younglove.

A petition of John Campbell, and a petition of George Carpenter, insolvent debtors, in gaol at New-York, were read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of William Remsen and John Bancker, was read, and committed to a Committee of the whole House, to be taken into consideration with the bill for giving relief to lessees deprived of the benefit of their leases during the late war.

Sundry certificates, relative to Daniel Mowris, of Marble town, in Ulster county, stating that he was during the late war disabled by wounds, while in the service of the United States, opposing the enemy in the field, were read, and referred to Mr. Jeffrey Smith, Mr. Adgate, and Mr. N. Smith.

The bill, entitled, *An act to exempt Ludwig Schaub and Peter Learman, from paying any part or share of the produce of a Mine, in the County of Westchester, to the people of this State, as sovereign thereof, until the* day of May, in the year of our Lord one thousand seven hundred and and the bill, entitled, *An act for giving relief to lessees, deprived of the benefit of their leases, during the late war*, were severally read a second time, and committed to a Committee of the whole House.

A message from the Honorable the Senate, was delivered by Mr. Finck, with the bill therein mentioned, that the Senate have passed a bill, entitled, *An act to enable the Clerks of the respective cities and counties within this State, to cancel the records of certain mortgages, made and executed to persons whose estates are forfeited, on proof that such mortgages are satisfied*, to which they request the concurrence of this House.

The said bill was read the first time, and ordered a second reading.

Mr. Dunscomb moved for leave to bring in a bill, to incorporate the several tradesmen and mechanics in the city and county of New-York.

Ordered, That leave be given accordingly.

Mr. Dunscomb, according to leave, brought in the said bill, entitled, *An act for incorporating the several tradesmen and mechanics, of the city and county of New-York, into one body corporate and politic*; which was read the first time, and ordered a second reading.

Mr. Thomas reported, that pursuant to the order of the House, Mr. N. Smith, and himself had attended before the Honorable John Sloss Hobart, Esquire, one of the commissioners for that purpose appointed, with Mr. Burr, and had seen him duly qualified, by taking and subscribing the oath for that purpose by law prescribed.

Ordered, That Mr. Burr take his seat.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, reported, that in proceeding in the bill, a clause was read in the words following, viz.

"And be it further enacted by the authority aforesaid, That any goods, wares and merchandize brought into this State, for which bonds have been given for the payment of the duty thereon, which shall be exported out of this State by the owner or consignee to any of the United States in the original packages within the amount of the duty on such goods, wares and merchandizes shall be deducted upon the owner or consignee, taking an oath or affirmation in the words following, to wit, "I do solemnly swear, (or if of the people called Quakers) affirm, that the packages of goods, enumerated, marked, and numbered, as per account and invoice herewith, were goods actually imported by me (or consigned to me, as the case may be) in the Ship Capt. from for which I have given bonds for the payment of the duty; and which said goods were exported to in the original packages in which they were imported, and that the said packages have not been opened, nor any part of the said goods therein contained, exchanged or taken out; and that I exported the said goods, wares and merchandize from this State to the of amounting to prime cost;" and producing a certificate from the proper officer of any of the United, that such goods,

goods, wares and merchandize have actually been regularly entered at the custom-house there, which certificates shall express the marks and numbers of such packages respectively."

That the said enacting clause having been read, Mr. Adgate made a motion that the said enacting clause be obliterated, and the following clause inserted in its stead, viz.

"And be it further enacted by the authority aforesaid, that whenever any ship or other vessel, shall at the time of the entry, have on board any goods, wares or merchandize consigned to any other of the United States of America, the person delivering the manifest and making a report in the manner herein before mentioned, shall mention therein particularly the quantity of goods, wares and merchandize bound elsewhere, together with the name or names of the person or persons as also the place or places the same belong or are consigned to, and in such case, such person making the report shall in addition to the oath or affirmation herein before prescribed to be taken by him, further swear (or if of the people called Quakers affirm) in the words following, viz. And I do further swear that the goods mentioned in this manifest, to be bound elsewhere, were *bona fide* shipped and intended for (naming the place to which such goods are to be re-exported.) So HELP ME GOD. And such goods, wares and merchandize so sworn to, shall and may be carried in the same packages to the place they were consigned to, either in the same vessel or another.

"Provided always, that the person or persons exporting the said goods, wares and merchandize, shall give a bond with two sufficient sureties in double the amount of the duties which would have become due on such goods, wares and merchandize, if imported into this State and not intended to be conveyed to another State, to the Collector, with condition, that such goods, wares or merchandize shall actually be exported from and out of this State to the port for which bills of lading have been signed for the purpose, and such goods, wares and merchandize so sworn to and exported as aforesaid, shall be free of the duty imposed by this act; any thing therein contained to the contrary notwithstanding. And if the exporter shall not within next after the date of such bond, produce to the said Collector a certificate either from the principal officer appointed for superintending naval entries in the port mentioned in such bond, and to which the said goods, wares and merchandize shall be exported, that the same have been actually entered and landed in such port, or if the exporter shall not within the said produce proof to the satisfaction of the Collector, that such ship or other vessel in which the said goods, wares and merchandize shall be exported from and out of this State, was lost in the intended voyage, that then and in every such case the said Collector shall prosecute for the recovery of the penalty of the said bond, but if such certificate or proof shall be produced within the time aforesaid, then the said bond shall be cancelled and vacated by the said Collector.

The question being put on the motion of Mr. Adgate, it passed in the Negative, in the manner following, viz.

For the Negative.

Mr. Duncomb,
Mr. Goforth,
Mr. Burr,
Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,

Mr. Mersereau,
Mr. Gelfton,
Mr. Joseph Lawrence,
Mr. Corfen,
Mr. C. Sands,
Mr. Remsen,

Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Paine.
Mr. J. Livingston,
Mr. Harper,
Mr. D'Witt,

Mr. Townsend,
Mr. Randall,
Mr. Sickles,
Mr. Speaker,
Mr. N. Smith,

For the Affirmative.

Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Patterson,
Mr. Thomas,

Mr. Gilbert,
Mr. Burling,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,

Mr. Adgate,
Mr. Ford,
Mr. Thompson,
Mr. Brinckerhoff,

Mr. Cooper,
Mr. Humfrey,
Mr. Purdy,
Mr. Veeder,

That in proceeding further in the bill a paragraph was read in the words following, viz.

"And be it further enacted by the authority aforesaid, that all teas imported directly from Asia or the Cape of Good Hope, in vessels built in and owned by citizens of this State, shall

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shall be exempted from duty, any thing in this act to the contrary notwithstanding."

The said paragraph having been read, the question was put whether the Committee did agree to the same, and it passed in the negative in the manner following, viz.

For the Negative.

Mr. Goforth,
Mr. Burr,
Mr. Vanderbilt,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Joseph Lawrence,

Mr. Corson,
Mr. Speaker,
Mr. Patterson,
Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Gilbert,
Mr. Burling,

Mr. Paing,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,

Mr. D'Witt,
Mr. Sickles,
Mr. Hunkert,
Mr. Cooper,
Mr. N. Smith,
Mr. Humphrey,
Mr. Veeder.

For the Affirmative.

Mr. Dunscomb,
Mr. Doughty,
Mr. Livingston,

Mr. Mercereau,
Mr. Gelston,
Mr. C. Sands,

Mr. Remsen,
Mr. Thomas,
Mr. Harper,

Mr. Townsend,
Mr. Randall,
Mr. Thompson,

That the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P.M.

Mr. Clark from the Committee of the whole House on the bill entitled, *An act imposing duties on certain goods, wares and merchandize imported into this State*, reported that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

SATURDAY, 10 o'clock, A.M. November 6th, 1784.

A petition of the Branch Pilots of the harbour and port of New-York, was read, and referred to Mr. Randall, Mr. Remsen and Mr. C. Sands.

A petition of Meads Brazier, praying a law to permit his return to this State and become a citizen, with a certificate attending the same, were read, and referred to Mr. Dunscomb, Mr. Adgate and Mr. D'Witt.

A petition of Whitehead Cornell, formerly of Broecklen, in King's county, butcher, and of John Cornell and William Cornell two of his sons, setting forth that the said Whitehead and William have lately returned from Nova Scotia to New-Jersey, and that the said John has lately returned from England, praying a law to receive them as subjects of this State, was read, and ordered to be laid on the table.

Peter W. Yates, Esquire, one of the Representatives returned as duly elected in the county of Albany, appeared in the Assembly chamber; *Ordered,* that Mr. D'Witt and Mr. Ford attend before one of the commissioners for that purpose appointed with Mr. Yates, and see him qualified.

A petition of Mary Stile, was read, and referred to Mr. Dunscomb, Mr. Clark and Mr. Joseph Lawrence.

Mr. D'Witt reported, that pursuant to the order of the House Mr. Ford and himself had attended before the Honorable John Sloss Hobart, Esquire, one of the commissioners for that purpose appointed, with Mr. Yates, and had seen him duly qualified by taking and subscribing the oath for that purpose by law prescribed.

Ordered, That Mr. Yates take his seat.

A petition of William Adams, relative to the loss of a store of medicines, and a petition of the said William Adams, relative to a possession of a farm, in Westchester county, were respectively read, and referred to Mr. Burr, Mr. Doughty and Mr. Thompson.

A petition of John Bailey, of the city of New-York, cutler, was read, and referred to Mr. Gelston, Mr. Becker and Mr. Gilbert.

A petition of John Nitché and Alexander Zuntz, was read, and committed to a Committee of the whole House, to be taken into consideration with the bill now before the House for imposing duties on goods to be imported into this State. Mr.

Mr. Livingston, from the Committee to whom was referred the petition of Abraham Lott, guardian of Andrew Coejemans, and Gertrude Coejemans, who are minors, praying leave to bring in a bill, to enable him to sell and convey in fee simple, a certain real estate of the said minors, reported, that it is the opinion of the Committee, that the prayer of the petitioner should be granted, and that, if the Honorable the Senate shall concur therein, an order be made that the petitioner have leave to bring in a bill for that purpose, at the next meeting of the legislature, on his having previously caused a copy of the petition, and of the said order to be published, for the space of six weeks, in two of the public Newspapers printed in this State.

Resolved, That the House do agree with the Committee in the said report; thereupon,

Ordered, If the Honorable the Senate shall concur therein, that Abraham Lott, guardian of Andrew Coejemans and Gertrude Coejemans, who are minors, have leave to bring in a bill at the next meeting of the legislature, to enable him to sell and convey, in fee simple, the real estate of the said minors, on his having previously caused a copy of the petition, and of this order, to be published for the space of six weeks, in two of the public Newspapers printed in this State.

Ordered, That Mr. N. Smith and Mr. Ford deliver a copy of the said order to the Honorable the Senate.

Mr. Adgate, from the Committee to whom was referred the memorial of Christopher Colles, proposing some interesting improvements in inland navigation, reported, that it is the opinion of the Committee, that the laudable proposals of Mr. Colles, for removing the obstructions in the Mohawk river, so that boats of burthen may pass the same, merit encouragement; but that it would be inexpedient for the legislature to cause that business to be undertaken at public expence.

That as the performing such a work will be very expensive, it is therefore the opinion of the Committee, that if Mr. Colles, with a number of adventurers (as by him proposed) should undertake it, they ought to be encouraged by a law, giving and securing unto them, their heirs and assigns forever, the profits that may arise by the transportation, under such restrictions and regulations as shall appear to the Legislature necessary for that purpose; and authorizing them to execute that work through any lands or improvements, on payment of the damages to the proprietors, as the same shall be assessed by a jury.

Resolved, That the House do concur with the Committee in the said report.

The bill, entitled, *An act to empower Elizabeth Debevois, widow, and Johannis E. Lott; and John Vanderbilt, Esquires, Administrators to the estate of Joost Debevois, deceased, to sell and dispose of the estate of the said Joost Debevois, for the payment of his debts, and other purposes*; the bill, entitled, *An act to empower Fernandus Suydam, Elizabeth Debevois and John Vanderbilt, Administrators with the will annexed to Jacobus Debevois, deceased, to execute the trust and power given to the executors in the said will named*; and the bill, entitled, *An act to enable the clerks of the respective cities and counties within this State to cancel the records of certain mortgages made and executed to persons whose estates are forfeited, on proof that such mortgages are satisfied*; and the bill, entitled, *An act for incorporating the several tradesmen and mechanics of the city and county of New-York, in one body corporate and politic*, were respectively read the second time, and committed to a Committee of the whole House.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, reported, that in proceeding further in the bill Mr. C. Sands made a motion, that a specific duty be imposed on beef, pork, candles, butter, anchors and soap that shall be imported into this State from Europe—That debates arose on the said motion, and that the question being put thereon, it was carried in the affirmative, in the manner following, viz:

For the Affirmative.

Mr. DeForest,

Mr. Burr,

Mr. Doughty,

Mr. Vanderbilt,

Mr. Mercereau,

Mr. Hardenbergh,

Mr. Gelfon,

Mr. Younglove,

Mr. Corfen,

Mr. C. Sands,

Mr. Speaker,

Mr. Remsen,

Mr. Patterson,

Mr. Thomas,

Mr. Jeffrey Smith,

Mr. John Smith,

Mr. Gilbert,

Mr. Burling,

Mr. Paine,

Mr. Baker,

Mr. Sherwood,

Mr. Adgate,

Mr. Ford,

Mr. J. Livingston,

Mr. Harper,

Mr. D'Witt

Mr. Townsend,

Mr. Sickles,

Mr. Thompson,

Mr. Denning,

Mr. Cooper,

Mr. N. Smith,

Mr. Humfrey,

Mr. Purdy,

Mr. Yates,

Mr. Hopkins.

For the Negative.

Mr. Dunscomb,
Mr. Livingston,

Mr. Becker,

Mr. Randall,

Mr. Veeder.

That the Committee have made further progress in the said bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Gasheie, was read, and is in the words following, viz.

Resolved, If the Honorable the House of Assembly concur herein, that his Excellency the Governor be requested to inform the Honorable the chancellor and chief justice of this State by express, that the business of the Legislature requires their immediate attendance, as members of the Council of revision."

Resolved, That this House do concur with the Honorable the Senate in the said resolution.

Ordered, That Mr. Ford and Mr. Yates deliver a copy of the last preceding resolution of concurrence to the Honorable the Senate.

Then the House adjourned until Monday next at ten of the clock in the forenoon.

MONDAY, 10 o'Clock, A. M. November 8th, 1784.

John Lawrence, Esquire, one of the representatives, returned as duly elected in the city and county of New-York, appeared in the Assembly chamber;

Ordered, That Mr. Doughty and Mr. Paine attend before one of the commissioners for that purpose appointed, with Mr. Lawrence, and see him qualified.

A petition of Edward Mooney, was read, and referred to Mr. Dunscomb, Mr. Clark and Mr. Joseph Lawrence.

A petition of John Woodward, and a petition of William Mead, were respectively read, and referred to Mr. Brinckerhoff, Mr. Yates, Mr. Denning, Mr. Becker and Mr. Talmadge.

Mr. Doughty reported, that pursuant to the order of the House, Mr. Paine and himself, had attended before the Honorable John Slofs Hobart, Esquire, one of the commissioners for that purpose appointed, with Mr. Lawrence, and had seen him duly qualified by taking and subscribing the oath of abjuration and allegiance, as by law prescribed.

Ordered, That Mr. Lawrence take his seat.

The respective petitions of Bastian Lashar, William Ruffel, John M'Kinsey, John Larabee and Adam Shutts, insolvent debtors in gaol, in the city of Albany, were read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of Samuel Stringer, of the city of Albany, was read, and referred to Mr. Gelston, Mr. Ford and Mr. N. Smith.

A petition of Teunis Schutt, of Dutchess county, was read, and referred to Mr. J. Livingston, Mr. Humfrey and Mr. Baker.

A petition of Samuel Broome and Jeremiah Platt, was read, and referred to Mr. Burr, Mr. Burling and Mr. C. Sands.

A petition of Peter Nellis and John Nellis, of Montgomery county, praying that the estate of Henry W. Nellis late of Montgomery county, vested in the people of this State by a judgment against him for adherence to the enemies of this State; may by a law be restored to the petitioners, or that the sale thereof may be postponed, was read, and ordered to be laid on the table.

Mr. Randall from the Committee to whom was referred the petition of James Willson of Schenectady, in the county of Albany, setting forth that John Dockstader of Montgomery county, whose estate is forfeited to, and vested in the people of this State for his adherence to the enemy, is indebted to the petitioner; that he obtained a judgment against the estate so vested in the people of this State, caused a sale to be made thereof at a Sheriff's vendue and became a purchaser, all which he finds a nullity, as the said estate is vested in the people of this State, and praying relief in the premises; reported that an ample provision is made by a law of this State to remedy the grievance in the petition complained of; and that therefore it is the opinion of the Committee that the interposition of the Legislature is unnecessary. Mr.

Mr. Randall read the said report in his place and delivered it in at the table, where the same was again read.

Resolved, That the House do concur with the Committee in the said report.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize imported into this State*, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

Matthew Visscher, Esquire, one of the representatives in Assembly returned as duly elected in the city and county of Albany, appeared in the Assembly Chamber.

Ordered, That Mr. Ford and Mr. Thompson attend before one of the Commissioners for that purpose appointed, with Mr. Visscher, and see him qualified.

Mr. Ford reported, that Mr. Thompson and himself pursuant to the order of the House, had attended before the Honorable John Sloss Hobart, Esquire, one of the commissioners for that purpose appointed, with Mr. Visscher, and had seen him qualified, by taking and subscribing the oath of abjuration and allegiance as by law prescribed.

Ordered, That Mr. Visscher take his seat.

Mr. Dunscomb from the Committee of the whole House, on the bill entitled, *An act for the establishment of a custom house and other purposes therein mentioned*, reported, that in proceeding in the bill, and on coming to the blank where the salary to be allowed to the Collector at Sagg Harbour, was to be inserted, Mr. Vanderbilt made a motion that the blank be filled up with seventy five pounds—That debates arose on the said motion, and the question being put thereon, it was carried in the affirmative in the manner following. viz.

For the Affirmative.

Mr. Goforth,
Mr. Vanderbilt,
Mr. John Lawrence,
Mr. Livingston,
Mr. Becker,
Mr. Mesfereau,
Mr. Gellson,
Mr. Younglove,

Mr. Joseph Lawrence,
Mr. Corfen,
Mr. C. Sands,
Mr. Speaker,
Mr. Remsen,
Mr. Patterson,
Mr. Thomas,

Mr. John Smith,
Mr. Baker,
Mr. Sherwood,
Mr. Ford,
Mr. J. Livingston,
Mr. Townsend,
Mr. Randall,

Mr. Thompson,
Mr. Denning,
Mr. Cooper,
Mr. N. Smith,
Mr. Veeder,
Mr. Visscher,
Mr. Yates.

For the Negative.

Mr. Hardenbergh,
Mr. Gilbert,
Mr. Burling,
Mr. Talmadge,

Mr. Paine,
Mr. Hopkins,
Mr. Adgate,

Mr. Harper,
Mr. D'Witt,
Mr. Sickles,

Mr. Brinckerhoff,
Mr. Humfroy,
Mr. Purdy.

That the said blank was accordingly filled up with the words seventy five pounds.

That the Committee have made further progress in the said bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

TUESDAY, 10 o'clock, A. M. November 9th, 1784.

A petition of James Lowry, an insolvent debtor in gaol at Albany, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson, and Mr. Jeffrey Smith.

A Petition of Magdalen Faulkenhan, was read, and referred to Mr. Dunscomb, Mr. Clark and Mr. Joseph Lawrence.

A petition of Joseph Van North with sundry certificates attending the same, were read, and referred to Mr. Adgate, Mr. Jeffrey Smith and Mr. N. Smith.

A petition of Philip Jacobs, was read and referred to Mr. Dunscomb, Mr. Visscher and Mr. Patterson.

A petition of Nicholas De Reimer, and others, was read and referred to Mr. Goforth, Mr. Visscher and Mr. Adgate.

A petition of Donald Mc Donald, of the city of Albany, was read and referred to Mr. Ford, Mr. Vanderbilt and Mr. Thomas.

A petition of John Alsop, and others, relative to limiting the number of Auctioneers, and ascertaining the places of public sale in the city of New-York, was read, and referred to Mr. Livingston, Mr. D'Witt and Mr. Denning.

Mr. Adgate from the Committee to whom were referred the certificate of Lieutenant-Colonel Frederick Weissenfels, and sundry other certificates relative to Daniel Mowris, a soldier wounded in opposing the British forces during the late war; reported, that the Committee had agreed to a resolution, which he was directed to report to the House—The said resolution was read and concurred in by the House. Thereupon

Resolved, If the Honorable the Senate concur herein, that Daniel Mowris, a private in Captain Hardenbergh's company, in the regiment of Continental Troops then commanded by Rudolphus Ritzema, and who was wounded in a battle opposing the British forces on the 28th day of October, 1776, be allowed the sum of twenty six shillings and eight pence per month, from the first day of January 1777, to the present day, as a partial support, agreeable to the acts of Congress and the law of this State, in such cases made and provided; the said Daniel Mowris having produced to the Legislature the necessary certificates to entitle him thereto.

Ordered, That Mr. Adgate and Mr. Doughty deliver a copy of the preceding resolution to the Honorable the Senate.

Mr. Denning, from the Committee appointed for that purpose, according to order, brought in a bill, entitled, *An act to authorize and require the commissioners of forfeitures for the southern district of this State, to grant part of the estate formerly of William Bayard, Esquire, to Charles M' Evers, of the city of New-York, merchant, in trust for his sister Catharine, the wife of the said William Bayard, and for other purposes therein mentioned*; which was read the first time, and ordered a second reading.

Mr. Dunscomb, from the Committee of the whole House, on the bill, entitled, *An act for the establishment of a custom house, and for other purposes therein mentioned*, reported, that in proceeding in the bill, Mr. Livingston made a motion that the collector at the port of New-York be allowed a fixed Salary per annum, exclusive of all necessary disbursements—That debates arose on the said motion, and that the question being put thereon, it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Doughty,
Mr. Hardenbergh,
Mr. Gelfon,
Mr. Younglove,
Mr. Corfen,
Mr. C. Sands,

Mr. Speaker,
Mr. Patterson,
Mr. Thomas,
Mr. John Smith,
Mr. Paine,
Mr. Talmadge,

Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. J. Livingston,
Mr. D'Witt,
Mr. Sickles,

Mr. Thompson,
Mr. Clark,
Mr. N. Smith,
Mr. Veeder,
Mr. Visscher.

For the Affirmative.

Mr. Goforth,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Becker,
Mr. Mercereau,
Mr. Joseph Lawrence,

Mr. J. Sands,
Mr. Remsen,
Mr. Jeffrey Smith,
Mr. Gilbert,
Mr. Burling,
Mr. Adgate,

Mr. Ford,
Mr. Harper,
Mr. Townsend,
Mr. Randall,
Mr. Denning,

Mr. Brinckerhoff,
Mr. Cooper,
Mr. Humfrey,
Mr. Purdy,
Mr. Yates.

That the Committee have made further progress in the bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'Clock, P. M.

Resolved, If the Honorable the Senate concur herein, that the delegates from this State to Congress be instructed to inform that honorable body, that if Congress should think proper to remove to this city, this State will endeavour to make their residence agreeable; and that proper accommodations for transacting the general business, and for the entertainment of the members can be easily provided.

Ordered, That Mr. N. Smith and Mr. Visscher deliver a copy of the preceding resolution to the Honorable the Senate.

Mr.

Mr. Mersereau moved for leave, to bring in a bill to restrain hawkers and pedlars.
Ordered, That leave be given accordingly.

Mr. Duncomb, from the Committee of the whole House, on the bill, entitled, *An act for the establishment of a custom house, and other purposes therein mentioned*, reported, that the Committee have gone through the bill, made amendments, and altered the title; that the altered title is in the words following, viz. *An act for the establishment of a custom house*, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Then the House adjourned until ten of the clock to-morrow morning.

WEDNESDAY, 10 o'Clock, A. M. November 10th, 1784.

A petition of Lorens Zimmerman, Dewald Zimmerman, George Timmerman and Henerig Zimmerman, of Montgomery county, relative to lands by them claimed, was read, and referred to Mr. J. Livingston, Mr. Paine and Mr. Mersereau.

A petition of Nathan Burr, and others, relative to a preemption of certain lands, vested in the people of this State, was read, and referred to Mr. Harper, Mr. Townsend and Mr. Thompson.

A petition of Isaac Gouverneur, was read, and referred to Mr. C. Sands, Mr. Gelston and Mr. Humfrey.

A petition of Robert Gordon, late of Schenectady, in the county of Albany, an insolvent debtor, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of Hermanus Cuyler and Bartholomew Van Valkenburgh, relative to an exclusive right of ferriage across Hudson's river, at Coxsackie, was read, and referred to the members of this House from the county of Albany.

A petition of Leonard Gansevoort, junior, of the city of Albany, was read, and referred to Mr. Randall, Mr. Ford and Mr. Brinckerhoff.

The engrossed bill, entitled, *An act for the establishment of a custom house*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. N. Smith and Mr. Visscher deliver the said bill to the Honorable the Senate, for concurrence.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

THURSDAY, 10 o'Clock, A. M. November 11th, 1784.

A petition of Gofuinus Erkelens, a native of Amsterdam, praying that his name may be inserted in the first bill that shall pass for the naturalization of foreigners, with a certificate attending the same, were respectively read.

Ordered, That the name of Gofuinus Erkelens be inserted in the bill now before the House for the naturalization of foreigners.

A petition of James Tillery, of the city of New-York, physician; a petition of Henry Hooker, and a petition of Henry Waddington, at present in the said city, respectively

spectively praying to be naturalized, were severally read, and referred to Mr. Ford, Mr. Cooper and Mr. Joseph Lawrence.

A petition of Gregory Richie, relative to erecting a paper mill, was read, and referred to Mr. Joseph Lawrence, Mr. Sickles and Mr. Baker.

A petition of Hendrick Zimmerman, was read, and referred to Mr. Burling, Mr. Goforth and Mr. Hopkins.

A petition of Francis Dominick, was read, and referred to Mr. Duncomb, Mr. Clark and Mr. Joseph Lawrence.

A petition of Theodorus Snedeker, with sundry affidavits attending the same, were read, and referred to Mr. John Lawrence, Mr. Paine and Mr. Cooper.

Mr. J. Livingston, from the Committee to whom was referred the petition of Ten-nis Schutt, of Dutchess county, praying a law to protect him for four years from suits by his creditors, reported, that it is the opinion of the Committee that the prayer of the petitioner ought not to be granted.

Resolved, That the House do concur with the Committee in the said report.

Mr. Pell, from the Committee to whom was referred the petition of Frederick Jay, and others, praying a law to enable the devisees of Ann Chambers, deceased, to divide the real estate in Bedford, in Westchester county, devised to them by the said Ann, agreeable to her last will and testament, reported, that it is the opinion of the Committee, that the prayer of the petitioners be granted—That the Committee have prepared a bill for that purpose, and directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Pell according to leave brought in the said bill, entitled, *An act for deviding the lands and real estate of Ann Chambers, deceased, situate in the township of Bedford, in the County of Westchester, among the devisees of the said Ann Chambers*; which was read the first time, and ordered a second reading.

Mr. Pell, from the Committee to whom was referred the petition of John Quick, and thirty-three other tenants of Stephen De Lancey, residents in Westchester county, praying relief as to arrears of rent due from them, and certain distresses, which have been occasioned by the said Stephen De Lancey, having for a considerable time during the late war gone to the city of New-York, and remained within the power of the British forces, reported, that it is the opinion of the Committee that relief ought to be given to the petitioners—That the Committee have prepared a bill for that purpose, and directed him to move for Leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Pell, according to leave, brought in the said bill, entitled, *An Act granting relief to certain tenants of Stephen De Lancey, on the Manor of Cortlandt, in Westchester county*; which was read the first time, and ordered a second reading.

Mr. Patterson moved for leave to bring in a bill for the relief of certain persons, whose personal property have been seized and sold by authority of the commissioners of sequestration in this State.

Ordered, That leave be given accordingly.

Mr. Patterson, according to leave, brought in the said bill, entitled, *An act for the relief of certain persons from whom property has been seized and sold by the commissioners of sequestration, in this State*; which was read the first time, and ordered a second reading.

Mr. John Lawrence, moved for leave to bring in a bill for making process in Courts of Equity more effectual against mortgagers who abscond, and cannot be served therewith, or who refuse to appear.

Ordered, That leave be given accordingly.

Mr. John Lawrence according to leave brought in the said bill, entitled, *An act for making process in Courts of Equity more effectual against mortgagers who abscond, and cannot be served therewith, or who refuse to appear*, which was read the first time, and ordered a second reading.

Mr. John Lawrence moved for leave to bring in a bill to enable the Courts therein mentioned, to issue commissions for the examination of witnesses in certain cases.

Ordered, That leave be given accordingly.

Mr.

Mr. John Lawrence, according to leave, brought in the said bill, entitled, *An act to enable the Courts therein mentioned to issue commissions for the examination of witnesses in certain cases*, which was read the first time, and ordered a second reading.

Mr. Yates moved for leave to bring in a bill to appoint the place of holding the Supreme Court of Judicature of this State in future, and to enlarge the terms thereof.

Ordered, That leave be given accordingly.

Mr. Yates according to leave brought in the said bill, entitled, *An act to appoint the place of holding the Supreme Court of Judicature of this State in future, and to prolong the terms thereof*, which was read the first time, and ordered a second reading.

Mr. Clark from the Committee of the whole House, on the bill entitled, *An act imposing duties on certain goods, wares and merchandize imported into this State*, reported that the Committee have gone through the bill, made amendments and added several clauses, which he was directed to report to the House: And he read the report in his place, and delivered the bill and amendments and clauses in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments and clauses be engrossed.

Then the House adjourned until three of the clock, in the afternoon.

3 o'clock, P. M.

Mr. Doughty from the Committee of the whole House, on the bill entitled, *An act to licence the purchasing of lands from the Oneida and Tuscorora Indians*, reported, that the Committee have made some progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

FRIDAY, 10 o'clock, A. M. November 12th, 1784.

A petition of Witter Johnson, relative to lands at Unadella, by him purchased, was read, and referred to Mr. Yates, Mr. Adgate and Mr. Harper.

A petition of John Wendell, relative to certificates for monies due to him from the United States for his services as an Issuing Commissary, was read, and referred to Mr. Livingston, Mr. Paine, Mr. Purdy and Mr. Visscher.

A petition of Isabella Watson, was read, and referred to Mr. Doughty, Mr. Brinckerhoff and Mr. Adgate.

A petition of Abraham Lott, of the city of New-York, Merchant, was read, and referred to Mr. Pell, Mr. Denning and Mr. John Smith.

A petition of James Reed, of Amenia precinct in Dutchess county, was read, and referred to Mr. Corfen, Mr. J. Livingston and Mr. Humfrey.

A petition of John Wiley, was read, and referred to Mr. Joseph Lawrence, Mr. Hardenbergh and Mr. C. Sands.

The engrossed bill entitled, *An act imposing duties on certain goods, wares and merchandize imported into this State*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Randall and Mr. Sands deliver the said bill to the Honorable the Senate for concurrence.

Mr. Adgate from the Committee to whom was referred the petition of Joseph Van North, a private soldier wounded at Fort Montgomery, praying for pay and depreciation of pay due to him; reported, that it appears to the Committee that the said Van North continued in the line of this State in the service of the United States, until January, 1780, and is entitled to receive his pay until that time, but it being the duty of the paymaster of the regiment he served in to settle the same, the interference of the Legislature is unnecessary; and that as the said Van North was struck off the muster-roll before the act of Congress of the 10th of April, 1780, he is thereby precluded from receiving the depreciation of his pay. That it farther appears to the Committee, that the said Van North became unfit for duty by reason of the wounds he received at Fort Montgomery, that they are therefore of opinion that he is entitled to receive a

N

partial

partial support, agreeable to the act of Congress and the law of this State, in such case provided.

Resolved, that the House do concur with the Committee in the said report; thereupon

Resolved, (if the Honorable the Senate concur therein) That Joseph Van North, formerly a private in Col. Du Bois's regiment of the troops of the line of this State, in the service of the United States, having been wounded at Fort Montgomery in opposing the British forces, and afterwards in January, 1780, struck off the muster-roll of the said regiment, as unfit for duty, being disabled by his wounds, and since discharged by the commander in chief of the army, do receive the sum of twenty-six shillings and eight pence per month as a partial support, from January, 1780, until this day, he having produced to the Legislature the necessary certificates to entitle him to the same.

Ordered, That Mr. Ford and Mr. N. Smith deliver a copy of the last preceding resolution to the Honorable the Senate.

Mr. Denning, from the Committee to whom was referred the petition of Samuel Franklin and Co. praying a Remission of duties, accrued on merchandize consigned to them, to be forwarded to Newport, in Rhode-Island, and by them exported accordingly, for payment whereof they have given bond to the Collector, reported, that it is the opinion of the Committee, that the prayer of the petition be granted; and that a clause be added to the first bill that shall pass for the payment of contingent expences, authorizing and directing the said Collector to remit the said duties, on the said Samuel Franklin and Co. having produced to the said Collector proper certificates of the said merchandize having been duly landed and reported, and entered at the custom house at Newport aforesaid.

Resolved, That the House do concur with the Committee in the said report.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such clause.

Mr. C. Sands, from the Committee to whom was referred the petition of Isaac Gouverneur, praying a remission of the duties on the cargo of the schooner Fairy, whereof Henry Hudson was master, belonging to certain merchants in Dominica, and which having failed on a voyage to the coast of Africa, was brought into this port, reported, that it is the opinion of the Committee, that the prayer of the petition be granted; and that a clause be added to the first bill which shall pass for the payment of contingent expences, directing the Collector to remit the said duties.

Debates arose on the said report; and the question being put, whether the House did concur with the Committee therein, it passed in the negative in the manner following, viz.

For the Negative.

Mr. Duncomb,
Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Patterson,

Mr. Thomas,
Mr. Pell,
Mr. Lockwood,
Mr. Gilbert,
Mr. Hopkins,
Mr. Baker,

Mr. Sherwood,
Mr. Ford,
Mr. Sickles,
Mr. Denning,
Mr. Thompson,
Mr. Clark,

Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder,
Mr. Yates.

For the Affirmative.

Mr. Doughty,
Mr. Vanderbilt,
Mr. John Lawrence,
Mr. Livingston,
Mr. Mercereau,

Mr. Gellson,
Mr. Joseph Lawrence,
Mr. Corfen,
Mr. C. Sands,
Mr. J. Sands,

Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Burling,
Mr. Adgate,
Mr. J. Livingston,

Mr. Harper,
Mr. Townsend,
Mr. Randall,
Mr. Visscher.

Thereupon *Resolved*, That the House do not concur with the Committee in the said report.

Mr. Adgate, from the Committee to whom was referred the petition of Miles Sherbrook, praying that *his attainder may be reversed*, reported, that it is the opinion of the Committee, that the prayer of the petitioner ought not to be granted: Debates arose on the said report; and the question being put, whether the House do concur with the Committee therein, it was carried in the affirmative, in the manner following, viz.

For

For the Affirmative.

Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Gelston,
Mr. Younglove,
Mr. Patterson,
Mr. Thomas,

Mr. John Smith,
Mr. Pell,
Mr. Lockwood,
Mr. Gilbert,
Mr. Burling,
Mr. Hopkins,
Mr. Baker,

Mr. Sherwood,
Mr. Adgate,
Mr. Ford,
Mr. Harper,
Mr. Sickles,
Mr. Thompson,
Mr. Clark,

Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder,
Mr. Visscher.

For the Negative.

Mr. Dunscomb,
Mr. Doughty,
Mr. Vanderbilt,
Mr. John Lawrence,

Mr. Livingston,
Mr. Merfereau,
Mr. Joseph Lawrence,
Mr. Corfen,

Mr. C. Sands,
Mr. J. Sands,
Mr. Jeffrey Smith,
Mr. J. Livingston,

Mr. Townsend,
Mr. Randall,
Mr. Denning,
Mr. Yates.

Thereupon *Resolved*, That the House do concur with the Committee in the said report.

Mr. Yates moved for leave to bring in a bill to appoint the place of holding the Supreme Court in future, and to prolong the terms thereof.

Ordered, That leave be given accordingly.

Mr. Yates, according to leave, brought in the said bill, entitled, *An act to appoint the place of holding the Supreme Court of Judicature of this State in future, and to prolong the terms thereof*; which was read the first time, and ordered a second reading.

Then the House adjourned until nine of the clock to-morrow morning.

SATURDAY, 9 o'Clock, A. M. November 13th, 1784.

A petition of Albertus Becker, and nine other inhabitants of Schohary, in the county of Albany, was read, and referred to Mr. Pell, Mr. Ford and Mr. Merfereau.

A petition of Ann White, of the city of New-York, with an affidavit attending the same, were read, and referred to Mr. D'Witt, Mr. John Lawrence and Mr. Dunscomb.

A petition of Robert Henry and Matthew Watson, on behalf of the Presbyterian church in the city of Albany, was read, praying that a stove, with its apparatus, of equal value to that lent out of the said church in the year 1777, to the then Convention of this State, (and which was destroyed in the conflagration of Kingston) may be restored to the said church.

Resolved, That the prayer of the said petition be granted.

Ordered, That Mr. Visscher and Mr. Yates prepare a clause for that purpose, to be added to the first bill that shall pass for the payment of contingent expences.

A petition of Hannah Nicoll, Widow of John Nicoll, deceased, was read, and referred to Mr. Clark, Mr. C. Sands and Mr. Doughty.

Mr. Goforth, from the Committee to whom was referred the petition of Mary Van Dyck, stating the losses and distresses of her late husband Abraham Van Dyck, occasioned by his attachment to the American cause during the late war, and praying some compensation or support, reported, that it is the opinion of the Committee, that the case of the petitioner is not included in the resolutions of Congress of 17th August 1779, and 24th August 1780, which have been adopted by a law of this State; and that it is the opinion of the Committee, that it would be proper to recommend her case (by concurrent resolutions of both Houses of the Legislature) to the Honorable the United States in Congress assembled; that the Committee have prepared certain resolutions for that purpose, which he was directed to report to the House; and he read the said report in his place, and delivered the said resolutions in at the table, where the same were again read, and agreed to by the House; thereupon

Resolved, That it appears that the late Abraham Van Dyck, a citizen of this State, who at the time of his decease belonged to the frigate Saratoga, in the service of the United States of America, very early took an active and decided part in support of the freedom and independence of the said United States, and during the war suffered much in his person and property.

And whereas the resolutions of the Honorable the Congress of the United States of America, of the 17th day of August 1779, and of the 24th day of August 1780, adopted by a law of this State, do not comprehend the case of the widow of the said Abraham Van Dyck; the said resolutions not extending to the widows and orphans of persons

persons who served in the navy of the said United States, and it is reasonable that provision should be made for her relief; thereupon

Resolved, (If the Honorable the Senate concur therein) that the case of Mary, the widow of the late Abraham Van Dyck, be earnestly recommended to the attention of the Honorable the United States, in Congress assembled, for such relief in the premises as they in their wisdom may deem just.

Ordered, That Mr. Goforth and Mr. Jeffrey Smith deliver a copy of the last preceding resolutions to the Honorable the Senate.

Mr. Pell, from the Committee to whom was referred the petition of Lambert Moore, praying a Law to discharge him from a prosecution against him in the Supreme Court, on an indictment against him for having adhered to the enemies of this State, reported, that it is the opinion of the Committee that the prayer of the petitioner be granted; that the Committee have prepared a bill for that purpose, and have directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Pell according to leave, brought in the said bill, entitled, *An act respecting certain prosecutions existing in the Supreme Court of Judicature of this State*, which was read the first time, and ordered a second reading.

Mr. J. Livingston from the Committee appointed for that purpose, according to order, brought in a bill, entitled, *An act for instituting a Court for the trial of impeachments and the correction of errors*, which was read the first time, and ordered a second reading.

The bill entitled, *An act to explain and amend the act, entitled, an act relative to debts due to persons within the enemy's lines, passed 12th July 1782*, and the bill entitled, *An act to appoint a place of holding the Supreme Court of Judicature of this State in future, and to prolong the terms thereof*, were respectively read a second time, and committed to a Committee of the whole House.

A copy of two resolutions of the Honorable the Senate, delivered by Mr. Townsend, were read, that the Senate do not concur with this House in their resolution of the 2d instant, to recommend the case of Dirck Van Ingen, to Congress; and that the Senate do not concur with this House in their resolution of the 4th instant, to recommend the cases of Pierre Reignier de Rouffi and Duncan Campbell to Congress.

A copy of a resolution of the Honorable the Senate, was delivered by Mr. Townsend, concurring with this House in their resolution of the ninth instant, for allowing a partial support to Daniel Mowris, a disabled and disbanded soldier.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Mc. Dougall, was read, concurring with this House in their resolution of the 9th instant, that the Delegates from this State to Congress, be instructed to inform that Honorable Body, that if Congress should think proper to remove to this city, that this State will endeavour to make their residence agreeable, and that proper accommodations for transacting the general business, and for the entertainment of the members can be easily provided.

A copy of a further resolution of the Honorable the Senate, delivered by Mr. Mc. Dougall, was read, and is in the words following, viz.

Resolved, (If the Honorable the House of Assembly concur herein) that the Delegates in Congress for this State be instructed, in case Congress should be determined to remove from Trenton, and should be disposed to reside in the city of New-York, to assure them that their residence therein would be agreeable to the citizens of this State, and that such accommodations will be provided for them, as the present circumstances of the city admit.

Resolved, That this House do concur with the Honorable the Senate in the said resolution.

Ordered, That Mr. Dunscomb and Mr. Baker, deliver a copy of the last preceding resolution of concurrence to the Honorable the Senate.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Whiting, was read, concurring with this House in their resolution of the 12th instant, for allowing a partial support to Joseph Van North, a disabled and disbanded soldier, formerly a private in the regiment commanded by Col. Du Bois.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Allison, was read, concurring with this House in their order of the 6th instant, to permit Abraham Lott, as guardian of Andrew Coejemans and Gertrude Coejemans who are minors, to bring in a bill at the next meeting of the Legislature to enable him to sell and convey in fee simple, certain real estate of the said minors, on his previously causing a copy of his petition to the Legislature on that subject, and of the said order, to be published six weeks in two of the public news-papers printed in this State.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Roosevelt, was read, and is in the words following, viz.

Resolved, (If the Honorable the House of Assembly concur herein) that Abraham Beach, administrator with the will annexed to the estate of Anne Ivory, deceased, have leave to present to either House of the Legislature at their next meeting, a bill to empower the said administrator to sell and dispose of the real estate of the said Anne Ivory, and to apply the proceeds thereof for the purposes mentioned in the said will; and that the said administrator previously cause a copy of this order to be published for the space of four weeks in one of the public news-papers of this State.

Resolved, That this House do concur with the Honorable the Senate in the said resolution.

Ordered, That Mr. Cooper and Mr. Thompson, deliver a copy of the last preceding resolution of concurrence, to the Honorable the Senate.

A petition of David Cady, of King's district, in the county of Albany, a wounded and disbanded soldier, with sundry certificates attending the same, were read.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Roosevelt, was read, and is in the words following, viz.

Resolved, (If the Honorable the House of Assembly concur herein) that David Cady, late a private soldier in Captain Skinner's company in the regiment of levies commanded by Col. Marinus Willet, conformable to the acts of Congress and the law of this State in such case provided, hath produced the certificates necessary, and fully sufficient to entitle him to receive one half of the monthly pay allowed to a private soldier from the time of his having been wounded in the public service, opposing the British forces during the late war; and that the auditor for this State, in auditing the accounts of the said David Cady, be directed to allow him the one half of the monthly pay, which was allowed to a private soldier, from the time of his having been so wounded in the service of his country, and thereby rendered unable to acquire a subsistence, on his producing to the auditor a certificate from his commanding officer of the time of his being so wounded."

Resolved, That this House do concur with the Honorable the Senate in the said resolution.

Ordered, That Mr. Cooper and Mr. Thompson deliver a copy of the last preceding resolution of concurrence, to the Honorable the Senate.

A message from the Honorable the Council of Revision, was delivered by the Honorable Mr. Justice Hobart, "That it does not appear improper to the council, that the bill, entitled, *An act further to continue the treasurer of this State in office*; and the bill, entitled, *An act to pardon Teunis Casey, alias Teunis Keire, of the felony therein mentioned*; should respectively become laws of this State."

A message from the Honorable the Council of Revision; was transmitted to this House by the Honorable the Senate, "That it does not appear improper to the council, that the bill, entitled, *An act to amend an act, entitled, an act to appoint commissioners to complete the running of a jurisdiction line between this State and the State or Commonwealth of Massachusetts, passed the 17th day of March, 1783*; and the bill, entitled, *An act to appoint agents for vindicating the right and jurisdiction of this State, against the claims of the Commonwealth of the Massachusetts, pursuant to the articles of confederation and perpetual union of the United States*, should become laws of this State."

Mr. Dunscomb, from the Committee of the whole House, on the bill, entitled, *An act for the relief of insolvent debtors*, reported, that the Committee have made some progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Mr. J. Livingston moved for leave to bring in a bill for the payment of certain contingent expences of this State, and for other purposes to be therein mentioned.

Ordered, That leave be given accordingly.

Mr. J. Livingston, according to leave, brought in the said bill, entitled, *An act for the payment of certain contingent expences, and for other purposes therein mentioned*; which was read the first time, and ordered a second reading.

Mr. Ford, from the Committee of the whole House, on the bill, entitled, *An act for the relief of Jane Blake, and the creditors of her late husband Jonathan Blake, deceased*, reported, that in proceeding through the bill Mr. Dunscomb made a motion that a clause be added to the bill, in the words following, viz.

“And be it further enacted by the authority aforesaid, That the trustees appointed by this act shall have the same power to cite any of the creditors of the said estate of the said Jonathan Blake, deceased, within the description of the 4th clause of an act, entitled, *An act relative to debts due to persons within the enemy's lines, passed 12th July 1782*, before any court of law, in this State, to have a settlement of the debt of the said creditor or creditors, and to make payment, agreeable to the mode prescribed by the said act, as fully and effectually as the said Jonathan Blake would have had in case he was now living. *Provided*, That no certificates shall be payable in discharge of the said debts, but such as are signed by a commissioner of loans of this State.”

That debates arose on the said clause, and the question being put, whether the Committee did agree to the same, it was carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Thomas,
Mr. Hardenbergh,
Mr. Burling,
Mr. Clark,
Mr. Veeder,
Mr. Talmadge,
Mr. Baker,

Mr. John Lawrence,
Mr. Gilbert,
Mr. Younglove,
Mr. Denning,
Mr. Yates,
Mr. *Speaker*,
Mr. Thompson,

Mr. Lockwood,
Mr. Cooper,
Mr. Adgate,
Mr. J. Livingston,
Mr. Visscher,
Mr. Sherwood,
Mr. Dunscomb,

Mr. N. Smith,
Mr. Sickles,
Mr. Hopkins,
Mr. Harper,
Mr. Pell,
Mr. Patterfon,

For the Negative.

Mr. Becker,
Mr. Corfen,
Mr. Goforth,
Mr. Mercereau,

Mr. Livingston,
Mr. Randall,
Mr. Gelston,

Mr. C. Sands,
Mr. Jeffrey Smith,
Mr. John Smith,

Mr. Townsend,
Mr. Doughty,
Mr. J. Sands.

That the said clause was accordingly added to the said bill; that the Committee have gone through the said bill, made amendments, and added several clauses, which he was directed to report to the House; and he read the said report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill, and amendments, and clauses be engrossed.

Then the House adjourned until Monday next at ten of the clock in the forenoon.

MONDAY, 10 o'Clock, A. M. November 15th, 1784.

A petition of Ann Colden, of Queens county, the widow of David Colden, deceased, who was in his life time attainted by a law of this State, was read, praying a law to allow her to hold and enjoy her late husband's property that is not already disposed of, or such part thereof as the Legislature shall think reasonable.

A recommendation of Samuel Talman, and others, bearing date the 9th instant, recommending the said petition of the said Ann Colden to the attention of the Legislature, was also read.

The said petition and recommendation being read, Mr. John Lawrence made motion that the same be referred to a Committee of three members.

Mr. Adgate, as an amendment, made a motion that the prayer of the petition of the said Ann Colden be not granted. The question being put on the said motion of Mr. Adgate, it was carried in the affirmative; thereupon

Resolved, That the prayer of the said petition of the said Ann Colden be not granted.

A petition of John Cornell, formerly of Broeklen, in King's county, with a certificate attending the same, were read, and referred to Mr. Dunscomb, Mr. Humfrey and Mr. Gelston.

A petition of Archibald Blair and John Blair; a petition of John De Wint, junior, and a petition of Frederick N. Sander, severally praying a law, to enable them to assign their estates to trustees, for the benefit of their creditors, and to be discharged from their debts, were read, and committed to a Committee of the whole House, to be taken into consideration with the bill now before the House, for the relief of insolvent debtors,

The bill, entitled, *An act respecting certain prosecutions existing in the Supreme Court of Judicature of this State*; and the bill, entitled, *An act for the payment of certain contingent expences, and for other purposes therein mentioned*, were respectively read a second time, and committed to a Committee of the whole House.

The engrossed bill, entitled, *An act for the relief of Jane Blake, and the creditors of her late husband Jonathan Blake, deceased*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Dunscomb and Mr. Baker deliver the said bill to the Honorable the Senate for concurrence.

Mr. Adgate made a motion for a resolution in the words following, viz.

Resolved, (if the Honorable the Senate concur therein) that the Legislature will adjourn on Saturday next.

Debates arose on the said motion, and the question being put thereon, it was carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Dunscomb,
Mr. Goforth,
Mr. Becker,
Mr. Merlereau,
Mr. Hardenbergh,
Mr. Gellston,
Mr. Younglove,
Mr. C. Sands,
Mr. Remsen,

Mr. Patterson,
Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Pell,
Mr. Lockwood,
Mr. Gilbert,
Mr. Paine,
Mr. Talmadge,

Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Sickles,

Mr. Thompson,
Mr. Clark,
Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder,
Mr. Villcher.

For the Negative.

Mr. Burr,
Mr. Doughity,
Mr. Vanderbilt,
Mr. John Lawrence,

Mr. Livingston,
Mr. Corfen,
Mr. J. Sands,

Mr. Burling,
Mr. D'Witt,
Mr. Townsend,

Mr. Randall,
Mr. Denning,
Mr. Yates.

Thereupon *Resolved*, (if the Honorable the Senate concur therein) that the Legislature will adjourn on Saturday next.

Ordered, That Mr. Adgate and Mr. Paine deliver a copy of the last preceeding resolution to the Honorable the Senate.

Mr. D'Witt then made a motion in the words following, viz.

"I move that this House do not adjourn until the bill for collecting the arrears of taxes, and the bill for emitting bills of credit shall be perfected."

Mr. Ford then made a motion, that the words "and for emitting bills of credit" in the motion of Mr. D'Witt be obliterated.

The question being put on the motion of Mr. Ford, it was carried in the affirmative.

The question being then put on the motion of Mr. D'Witt, as amended, in pursuance of the motion of Mr. Ford, it was carried in the affirmative.

Thereupon *Resolved*, That this House will not adjourn until the bill for collecting the arrears of taxes be perfected.

Mr. Dunscomb, from the Committee of the whole House, on the bill, entitled, *An act for the relief of insolvent debtors*, reported, that the Committee have gone through the bill, made amendments, and altered the title; that the altered title is in the words following, viz. *An act to revive and amend an act, entitled, An act for the relief of insolvent debtors within this State*, passed the 17th April 1784, which he was directed to report to the House; and he read the report in his place, and delivered the bill, and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Mr. C. Sands moved for a resolution for the appointment of two additional delegates to Congress, which was concurred in by the House; thereupon

Resolved, (if the Honorable the Senate concur herein) That two additional delegates be nominated and appointed, to represent this State, in the United States in Congress assembled,

assembled, and that in case of such concurrence, this House will to-morrow at eleven of the clock in the forenoon, proceed to such nomination.

Ordered, That Mr. Adgate and Mr. Paine deliver a copy of the last preceeding resolution to the Honorable the Senate.

Then the House adjourned until four of the clock in the afternoon.

4 o'Clock, P. M.

Mr. Remsen, from the Committee of the whole House, on the bill, entitled, *An act more effectually to carry into execution the act, entitled, an act for raising £. 100,000, within the several counties therein mentioned, passed the 6th May, 1784; and also the act, entitled, an act to compel the payment of the arrearages of taxes, passed 24th July, 1782, and for other purposes therein mentioned*, reported, that the said bill having been read in the said Committee, Mr. Livingston made a motion that the bill be rejected—That debates arose on the said motion, and that the question being put thereon, it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Goforth,
Mr. Becker,
Mr. Merfereau,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Speaker,
Mr. Patterson,
Mr. John Smith,
Mr. Pell,

Mr. Lockwood,
Mr. Gilbert,
Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,

Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. D'Witt,
Mr. Townsend,
Mr. Sickles,
Mr. Thompson,

Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder,
Mr. Yates,
Mr. Visscher,
Mr. Jeffrey Smith.

For the Affirmative.

Mr. Duncomb,
Mr. Doughty,
Mr. Vanderbilt,

Mr. John Lawrence,
Mr. Livingston,
Mr. Gellston,

Mr. Joseph Lawrence,
Mr. Corfen,

Mr. J. Sands,
Mr. Randall.

That the Committee have made further progress in the bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until ten of the clock to-morrow morning.

TUESDAY, 10 o'clock, A. M. November 16th, 1784.

A petition of Jehiel Ferris, an insolvent debtor, was read, and referred to Mr. Adgate, Mr. Paine, Mr. Randall, Mr. Patterson and Mr. Jeffrey Smith.

A petition of Margaret Riker, the widow of Captain Abraham Riker, deceased, was read, and referred to Mr. Townsend, Mr. C. Sands and Mr. Paine.

A petition of Robert Ray, and other inhabitants of the city of New-York, and a petition of Harme Gansevoort, and other inhabitants of the city of Albany; were read, and referred to Mr. Livingston, Mr. Adgate and Mr. Gellston.

A petition of John Rice and Gerardus Moke, was read, and referred to Mr. Adgate, Mr. Doughty and Mr. Brinckerhoff.

The bill, entitled, *An act for instituting a court for the trial of impeachments, and the correction of errors*, was read a second time, and committed to a Committee of the whole House.

Mr. Duncomb, from the Committee to whom was referred the petition of Philip Jacobs, praying that the Legislature would direct the Treasurer to pay him the sum of £.317-7-4, together with interest, agreeable to the certificates granted to him in pursuance of the act, entitled, "An act to provide for the payment of certain contingent expences, and for other purposes therein mentioned," passed 22d November, 1781, reported, that it is the opinion of the Committee, that if the prayer of the petitioner should be granted, it would give him an unjust preference to the other creditors of this State; and that therefore the prayer of the said petition cannot at present, with propriety, be granted.

Resolved, That the House do concur with the Committee in the said report.

Mr. Pell, from the Committee to whom was referred the petition of Albertus Becker, and other inhabitants of Schoharie, praying retribution for boards, fences, apple trees, wood, and other articles destroyed during the war, reported, that although the

Committee

Committee commiserate the sufferings of the petitioners, yet, when they consider that numberless citizens of this State are under the like circumstances with the petitioners, that the State is unable to afford a general relief, and that a partial relief would be improper; they are of the opinion, that the prayer of the petition cannot be granted.

Resolved, That the House do concur with the Committee in the said report.

Mr. Mersereau, according to leave, brought in a bill, entitled, *An act to restrain hawkers and pedlars from travelling with goods, wares or merchandize within this State, without first having obtained licence for that purpose*; which was read the first time, and ordered a second reading.

Mr. Pell, from the Committee to whom was referred the several petitions of John Wood, of Goshen, in Orange county, Nathaniel Tucker, of North-Castle, in Westchester county, and Elizabeth Seaman, late of North-Hempstead, in Queens county, severally praying that their respective former marriages may be dissolved, reported, that it is the opinion of the Committee, that the prayer of the petitioners respectively ought to be granted; that the Committee have prepared a bill for that purpose, and have directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Pell, according to leave, brought in the said bill, entitled, *An act to dissolve the marriages of John Wood, of Goshen, in Orange county, and Elizabeth his wife; Nathaniel Tucker, of North-Castle, and Nancy his wife; and Richard Sedman, late of North-Hempstead, in Queens county, and Elizabeth his wife*; which was read the first time, and ordered a second reading.

The engrossed bill, entitled, *An act to revive and amend the act, entitled, an act for the relief of insolvent debtors within this State, passed the 17th April 1784*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. D'Witt and Mr. Remsen deliver the said bill to the Honorable the Senate, for concurrence.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Paine, of that House, was read, "that the Senate do not concur with this House in their resolution of yesterday, that two additional delegates be nominated and appointed to represent this State, in the United States in Congress assembled."

A message from the Honorable the Senate, was delivered by Mr. Morris, with the bill and Amendments therein mentioned, that the Senate have passed the bill, entitled, *An act for the establishment of a custom house*, with the amendments therewith delivered.

The bill and amendments were read—The amendments being severally read a second time; one of the said amendments proposed was to change or encrease the salary of the intended surveyor and searcher of the customs from 250 l. to 300 l. per annum; Mr. Speaker put the question, whether the House did concur in the said amendment, and it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Doughty,
Mr. Vanderbilt,
Mr. Becker,
Mr. Gellston,
Mr. C. Sands,
Mr. Patterson,

Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Lockwood,
Mr. Gilbert,
Mr. Paine,
Mr. Talmadge,

Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. D'Witt,
Mr. Townsend,
Mr. Sickles,

Mr. Thompson,
Mr. Clark,
Mr. Brinckerhoff,
Mr. N. Smith,
Mr. Humfrey.

For the Affirmative.

Mr. Duncomb,
Mr. Goforth,
Mr. John Lawrence,
Mr. Livingston,
Mr. Mersereau,
Mr. Hardenbergh,

Mr. Younglove,
Mr. Joseph Lawrence,
Mr. Corfen,
Mr. J. Sands,
Mr. Remsen,

Mr. Pell,
Mr. Burling,
Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,

Mr. Harper,
Mr. Randall,
Mr. Cooper,
Mr. Veeder,
Mr. Yates.

Another of the said amendments being to change or encrease the allowance to the Collector from 1500 l. to 1600 l. per annum, for his services and disbursements; Mr. Speaker put the question, whether the House did concur in the said amendment; and it passed in the negative, in the manner following.

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For

For the Negative.

Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Becker,
Mr. Mercereau,
Mr. Hardenbergh,
Mr. Gellson,
Mr. Younglove,
Mr. Joseph Lawrence,

Mr. Corfen,
Mr. C. Sands,
Mr. J. Sands,
Mr. Remsen,
Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Pell,
Mr. Lockwood,
Mr. Gilbert,

Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. Adgate,
Mr. Patterson,
Mr. D'Witt,

Mr. Townsend,
Mr. Sickles,
Mr. Thompson,
Mr. Clark,
Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humphrey,
Mr. Veeder.

For the Affirmative.

Mr. Duncomb,
Mr. Goforth,
Mr. John Lawrence,

Mr. Ford,
Mr. J. Livingston,
Mr. Harper,

Mr. Randall,
Mr. Yates,
Mr. Visscher.

The other amendments being severally read a second time, were respectively concurred in by the House, thereupon

Resolved, That this House do not concur in the two amendments to the bill which tend to encrease the salaries or allowances to the Collector, and Surveyor and Searcher, and do concur in the other amendments to the said bill.

Ordered, That Mr. Baker and Mr. Corfen deliver a copy of the preceding resolution, and the said bill, to the Honorable the Senate.

Mr. Vanderbilt, from the Committee of the whole House, on the bill, entitled, *An act respecting certain prosecutions existing in the supreme court of judicature of this State*, reported, that the Committee have gone through the bill, and made amendments, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

Mr. Remsen, from the Committee of the whole House, on the bill, entitled, *An act more effectually to carry into execution the act, entitled, an act for raising 100,000l. within the several counties therein mentioned, passed the 6th May 1784; and also the act, entitled, an act to compel the payment of the arrearages of taxes, passed the 24th July 1782; and for other purposes therein mentioned*, reported, that in proceeding on the bill, Mr. John Lawrence made a motion that a clause should be added to the bill, in the words following, viz.

"And be it further enacted by the authority aforesaid, that it shall be lawful for the respective collectors of the tax, to be raised in and by the act, entitled, *An act for raising 100,000l. within the several counties therein mentioned, passed 6th May 1784*, to receive in all payments to be made in pursuance of the said act, instead of specie only, such monies and certificates respectively made receivable and payable in sales of confiscated property, sold at public vendue, as are specified in and by the 5th clause of the act, entitled, *An act for the speedy sale of confiscated and forfeited estates within this State, and for other purposes therein mentioned, passed the 12th May 1784*, at and after the rates respectively specified in the fifth clause of the said last mentioned act."

That the said proposed clause having been read, debates arose thereon; and that the question being put, whether the Committee did agree to the same, it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Speaker,
Mr. Patterson,
Mr. Thomas,

Mr. Pell,
Mr. Lockwood,
Mr. Gilbert,
Mr. Burling,
Mr. Talmadge,
Mr. Baker,
Mr. Sherwood,

Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. D'Witt,
Mr. Sickles,
Mr. Thompson,

Mr. Clark,
Mr. Brinckerhoff,
Mr. N. Smith,
Mr. Humphrey,
Mr. Veeder,
Mr. Yates,
Mr. Visscher.

For the Affirmative.

Mr. Duncomb,
Mr. Doughty,
Mr. Vanderbilt,
Mr. John Lawrence,

Mr. Livingston,
Mr. Mercereau,
Mr. Gellson,
Mr. Joseph Lawrence,

Mr. Corfen,
Mr. J. Sands,
Mr. Jeffrey Smith,

Mr. John Smith,
Mr. Townsend,
Mr. Randall.

That

That the Committee have made further progress in the bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

A copy of a resolution of the Honorable the Senate, was delivered by Mr. L'Honnemieu, with the bill, entitled, *An act for the establishment of a custom house*, that the Senate do recede from such of their amendments to the said bill as were not concurred in by this House.

Ordered, That the bill be amended, agreeable to the amendments concurred in by this House.

Ordered, That Mr. Thomas and Mr. Hopkins deliver the said bill to the Honorable the Senate, and inform them that the same is amended accordingly.

Then the House adjourned until ten of the clock to-morrow morning.

WEDNESDAY, 10 o'Clock, A. M. November 17th, 1784.

A petition of John Frederick Ries, on behalf of the Lutheran congregation at Stone Arabia, in Montgomery county, was read, and referred to Mr. Townsend, Mr. J. Livingston and Mr. D'Witt.

A petition of Thomas Grant, formerly of the city of New-York, merchant, was read, and referred to Mr. Dunscomb, Mr. Vischer and Mr. Remsen.

A petition of Thomas Greves, was read, and referred to Mr. Adgate, Mr. Randall and Mr. Pell.

Mr. Townsend, from the Committee to whom was referred the petition of Margaret Riker, the widow of Captain Abraham Riker, deceased, praying payment of a certificate for the depreciation of the pay of the said Abraham Riker, while he served in the line of the troops of this State, in the service of the United States, reported, that it is the opinion of the Committee that some relief ought to be afforded to the petitioner; and for that purpose that a clause be added to the bill now before the House, for the payment of contingent expenses, directing the treasurer of this State to pay the petitioner in specie the one half of the amount of the said certificate, and indorse such payment on the said certificate.

Resolved, That the House do concur with the Committee in the said report.

Mr. Thomas, from the Committee to whom was referred the petition of Silvanus Seely, of Poundridge, in Westchester county, a maimed soldier, with the several certificates which attended the same, reported, that it fully appears that the said Silvanus Seely was wounded while in the service of the United States, in Col. Morris Graham's regiment of levies, opposing the British forces during the late war; that he is unable to acquire a subsistence, and is entitled to a partial support. That the Committee have prepared a draft of a resolution for that purpose, which he was directed to report to the House—The said resolution being read, was concurred in by the House.

Thereupon *Resolved*, (if the Honorable the Senate concur therein) That Silvanus Seely, late a private in the regiment of levies, commanded by Col. Morris Graham, in the service of the United States, hath produced proper certificates that he was wounded while in the service of the United States, opposing the British forces during the late war, and is thereby rendered unable to acquire a subsistence—That twenty-six shillings and eight-pence per month be allowed to the said Silvanus Seeley, as a partial support, from the thirteenth day of April, 1778, when he was so wounded, to the fifteenth day of November instant; and that the auditor for this State do audit his account accordingly.

Ordered, That Mr. Thompson and Mr. Burling deliver a copy of the last preceding resolution to the Honorable the Senate.

Mr. Clark, from the Committee to whom was referred the petition of Hannah Nicoll, acting Executrix of John Nicoll, Esquire, deceased, praying payment for wheat by him delivered to the families of certain persons serving in the line of the troops of this State, in the service of the United States, reported, that it is the opinion of the Committee, that there is due from this State to the estate of John Nicoll, deceased, the sum of four pounds twelve shillings for wheat, by him delivered as aforesaid; for which receipts have been produced; and that a clause be added to the bill now before the House

House for the payment of contingent expences, to authorize the payment of the said four pounds twelve shillings.

Resolved, That the House do concur with the Committee in the said report.

The engrossed bill, entitled, *An act respecting certain prosecutions existing in the Supreme Court of Judicature of this State*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Gelston and Mr. John Smith deliver the bill to the Honorable the Senate, for Concurrence.

A message from the Honorable the Senate was delivered by Mr. Swartwout, with the bill, entitled, *An act imposing duties on goods, wares and merchandize, imported into this State*, that the Senate have passed the bill with the amendment therewith delivered.

The amendment being read, is to encrease the duty on all loaf sugar that shall be imported into this State, after the first day of March next, from three-pence to five pence on the pound.

Mr. Speaker put the question, whether the House did concur in the said amendment, and it was carried, in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Goforth,
Mr. Livingston,
Mr. Becker,
Mr. Merlereau,
Mr. Younglove,
Mr. Joseph Lawrence,
Mr. Corfen,
Mr. Patterson,

Mr. Jeffrey Smith,
Mr. Pell,
Mr. Burling,
Mr. Paine,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. Adgate,

Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. D'Witt,
Mr. Randall,
Mr. Sickles,
Mr. Thompson,

Mr. Brinckerhoff,
Mr. Humfrey,
Mr. Veeder,
Mr. Yates,
Mr. Visscher,
Mr. Talmadge.

For the Negative.

Mr. Duncomb,
Mr. Burr,
Mr. Doughty,
Mr. John Lawrence,
Mr. Hardenbergh,

Mr. Gelston,
Mr. C. Sands,
Mr. J. Sands,
Mr. Remsen,

Mr. Thomas,
Mr. John Smith,
Mr. Lockwood,
Mr. Gilbert,

Mr. Townsend,
Mr. Clark,
Mr. Cooper,
Mr. N. Smith,

Thereupon *Resolved*, That this House do concur with the Honorable the Senate in the said amendment.

Ordered, That the bill be amended accordingly.

A message from the Honorable the Senate, was delivered by Mr. Gasperie, with the bill therein mentioned, that the Senate have passed the bill, entitled, *An act for the relief of Jane Blake, and the creditors of her late husband Jonathan Blake, deceased*, with the amendments therewith delivered.

The bill and amendments were read; and the amendments being read a second time, were concurred in by the House, and the bill amended accordingly.

Ordered, That Mr. Gelston and Mr. John Smith deliver the two last mentioned bills to the Honorable the Senate, and inform them that this House have concurred in the amendments, and have amended the bills accordingly.

A letter from Peter T. Curtenius, Esquire, auditor for this State, relative to certain accounts for printing for the Legislature, was read, and referred to Mr. C. Sands, Mr. Remsen and Mr. Denning.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Duane, was read, and is in the words following, viz.

Resolved, (if the Honorable the House of Assembly concur herein) That his Excellency the Governor be requested to inform the Honorable Robert R. Livingston, and Egbert Benson, Esquires, by express, that the Legislature rely on their services as counsellors and agents for this State, against the Commonwealth of the Massachusetts; and that it is expected they will accordingly repair to Trenton, by the first day of December next, to assist in the appointment of a federal court for determining the controversy."

Resolved, That this House do concur with the Honorable the Senate in the said resolution.

Ordered, That Mr. Patterson and Mr. Talmadge deliver a copy of the last preceding resolution of concurrence to the Honorable the Senate.

Mr. Remsen, from the Committee of the whole House, on the bill, entitled, *An act*
more

more effectually to carry into execution the act, entitled, an act for raising 100,000l. within the several counties therein mentioned, passed the 6th May, 1784, and also the act, entitled, an act to compel the payment of the arrearages of taxes, passed the 24th July, 1782, and for other purposes therein mentioned, reported, that the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until four of the clock in the afternoon.

4 o'clock, P. M.

The Honorable the Senate returned by Mr. Stoutenbergh, the bill, entitled, *An act for the establishment of a custom house*; the bill, entitled, *An act imposing duties on certain goods, wares and merchandize, imported into this State*, and the bill, entitled, *An act for the relief of Jane Blake and the creditors of her late husband Jnnathan Blake, deceased*.

Ordered, That Mr. Clark and Mr. Doughty deliver the three last mentioned bills to the Honorable the Council of Revision.

Mr. Ford, from the Committee of the whole House, on the bill, entitled, *An act instituting a court for the trial of impeachments, and the correction of errors*, reported, that the Committee have gone through the bill, and made amendments, which he was directed to report to the House; and he read the report in his place, and delivered the bill, and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Then the House adjourned until ten of the clock to-morrow morning.

THURSDAY, 10 o'clock, A. M. November 18th, 1784.

A petition of Joseph Crane, junior, of Dutchess county, was read, and referred to Mr. Visscher, Mr. Pell and Mr. Humfrey.

A petition of John Luister, and three other justices of the peace, residing in Oyster bay township, in Queens county, was read, and referred to the members of this House from the said county.

A petition of George Mount, was read, and referred to Mr. Randall, Mr. Lockwood and Mr. Vanderbilt.

A petition of Donald Campbell, was read, and referred to Mr. Yates, Mr. Burling and Mr. Baker.

A petition of Jeremiah Wadsworth, of Connecticut, by his agent Nathaniel Shaler, relative to the duties on a certain quantity of sugar, was read, and referred to Mr. C. Sands, Mr. Adgate and Mr. Gelton.

Mr. Burling, from the Committee to whom was referred the petition of Henry Remsen and Solomon Simson, stating claims to mines in the manor of Philipsburgh, in Westchester county, and praying that the said mine may be excepted in the sales of the forfeited estates there, reported, that the Committee have examined the petitioners claims to the mines and minerals in Philipsburgh, and are of opinion, that they are well founded, and that the prayer of the petitioners should be granted; and for that purpose, that the commissioners of forfeitures for the southern district of the State should by law be directed to reserve the rights and privileges of the petitioners, and that a bill be ordered to be brought in for that purpose.

Resolved, That the House do concur with the Committee in the said report; and

Ordered, That the Committee to whom the said petition was referred do prepare and bring in such bill.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Swartwout, was read, concurring with this House in their resolution of the 17th instant, for allowing a partial support to Silvanus Seely, a disabled foldier.

Mr. Pell, from the Committee to whom was referred the petition of Richard Sands, of Cow-Neck, in Queens county, praying a law to establish a ferry from Cow-Neck aforesaid, to New-Rochelle, in Westchester county, reported, that it is the opinion of the Committee, that the prayer of the petitioner be granted; that the Committee have

prepared

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prepared a bill for that purpose, and directed him to move for leave to bring in the same.

Ordered, That leave be given accordingly.

Mr. Pell, according to leave, brought in the said bill, entitled, *An act for the establishment and regulation of ferries across the East River, between the counties of Queens and Westchester*; which was read the first time, and ordered a second reading.

Mr. Doughty, from the Committee to whom was referred the petition of Isabella Watson, a matron in the hospital at Albany, praying an allowance of depreciation on the pay received by herself and her husband, reported, that as the petitioner and her late husband are not included in the act of Congress of the 13th June, 1781, providing for the depreciation of the pay of the officers of the hospital, it would be partial in this State to allow the depreciation; and that therefore the prayer of the petitioner ought not to be granted.

Resolved, That the House do concur with the Committee in the said report.

Mr. Townsend, from the Committee to whom was referred the petition of William Roe, of Oysterbay, in Queens county, praying for some small gratuity, reported, that it is the opinion of the Committee that the prayer of the petitioner be granted; and that a clause for that purpose be added to the bill now before the House, for the payment of contingent expences.

Resolved, That the House do concur with the Committee in the said report.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such clause.

The engrossed bill, entitled, *An act instituting a court for the trial of impeachments, and the correction of errors*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Paine and Mr. Jeffrey Smith deliver the said bill to the Honorable the Senate, and request their concurrence.

Resolved, That if any member of this House, shall at any time of the day appear in the House, and shall afterwards during the said day absent himself without leave obtained for the purpose, the name of such person shall be entered on the journals as an absentee, contrary to a rule of the House.

Mr. Duncomb, from the Committee of the whole House, on the bill, entitled, *An act to explain and amend the act, entitled, an act relative to debts due to persons within the enemy's lines*, passed 12th July, 1782, reported, that the Committee have made some progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'Clock, P. M.

Mr. Duncomb, from the Committee of the whole House, on the bill, entitled, *An act to explain and amend the act, entitled, an act relative to debts due to persons within the enemy's lines*, passed 12th July, 1782, reported, that in proceeding in the bill, a recital and enacting clause were read, in the words following, viz.

"Whereas doubts have arisen, whether the said act doth extend to executors and administrators, both of debtors and creditors, especially the executors and administrators of persons who have deceased since the passing of the said act."

"Be it therefore enacted by the people of the State of New-York, represented in Senate and Assembly, and it is hereby enacted and declared by the authority of the same, that the abovesaid act doth extend to the executors and administrators of all such debtors and creditors, as fully and absolutely as it would extend to their testators and intestates were they in full life, and shall be so deemed, construed and taken, to all intents, constructions and purposes whatsoever, both in law and equity."

That the clause having been read, the question was put, whether the Committee did agree to the same, and that it was carried in the affirmative, in the manner following, viz.

For

For the Affirmative.

Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. *Speaker*,
Mr. Patterson,
Mr. Thomas,

Mr. Pell,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. Adgate,

Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Sickles,
Mr. Thompson,
Mr. Denning,
Mr. Clark,

Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder,
Mr. Visscher.

For the Negative.

Mr. Doughy,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Merfereau,

Mr. Joseph Lawrence,
Mr. Corfen,
Mr. C. Sands,
Mr. J. Sands,

Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Lockwood,
Mr. Gilbert,

Mr. Burling,
Mr. Townfend,
Mr. Randall.

That in proceeding in the bill, Mr. C. Sands made a motion, that to one of the clauses a proviso should be added, in the words following, viz.

"Provided, that nothing in this act shall operate against any person or persons who can prove to the satisfaction of the judge or judges of the court, before whom he, or or they shall be cited, that he has been uniformly attached to the freedom and independence of this State; and can also prove to the satisfaction of the said court, that he, or they have sustained loss by the depreciation of the paper money, emitted under the direction of Congress, or by the authority of the State."

That the said proviso having been read, the question was put, whether the Committee agree to the same, and it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. *Speaker*,
Mr. Patterson,
Mr. Pell,

Mr. Lockwood,
Mr. Gilbert,
Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,

Mr. Sherwood,
Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Sickles,
Mr. Thompson,

Mr. Denning,
Mr. Clark,
Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder.

For the Affirmative.

Mr. Doughy,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Merfereau,

Mr. Joseph Lawrence,
Mr. C. Sands,
Mr. J. Sands,

Mr. Thomas,
Mr. Jeffrey Smith,
Mr. John Smith,

Mr. Townfend,
Mr. Randall,
Mr. Corfen.

That the Committee have gone thro' the Bill, and made amendments, which he was directed to report to the House: And he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

The bill and amendments were then read a third time.

Mr. Speaker then put the question, whether the bill and amendments shall pass, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Duncomb,
Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Younglove,
Mr. Patterson,
Mr. Thomas,
Mr. Pell,

Mr. Lockwood,
Mr. Gilbert,
Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,

Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Sickles,
Mr. Thompson,
Mr. Denning,

Mr. Clark,
Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder,
Mr. Visscher.

For the Negative.

Mr. Doughy,
Mr. Vanderbilt,
Mr. Livingston,

Mr. Merfereau,
Mr. Joseph Lawrence,
Mr. Corfen,

Mr. C. Sands,
Mr. J. Sands,
Mr. Jeffrey Smith,

Mr. John Smith,
Mr. Townfend,
Mr. Randall.

Thereupon *Resolved*, That the bill and amendments do pass.

Ordered, That Mr. Hardenbergh and Mr. Joseph Lawrence, deliver the said bill and amendments to the Honorable the Senate, and inform them that this House have passed the bill with the amendments therewith delivered.

Then the House adjourned until ten of the clock to-morrow morning.

FRIDAY,

FRIDAY, 10 o'Clock, A. M. November 19th, 1784.

A petition of Martin Wiltse, relative to a Petteaugre by him purchased of the Commissioners of Sequestration, in Dutchess county, in June, 1777, was read, and committed to a Committee of the whole House, to be taken into consideration with the bill, entitled, *An act for the relief of certain persons from whom property have been seized and sold, by authority of the Commissioners of Sequestration in this State.*

A petition of Pepoon and Brown, William Walker, and Co. and Benjamin Pepoon, inhabitants of Berkshire county, in Massachusetts, was read, and referred to Mr. C. Sands, Mr. Adgate and Mr. Gelston.

Mr. Townsend, from the Committee to whom was referred the petition of John Frederick Ries, on behalf of the Lutheran Congregation, at Stone Arabia, in Montgomery county, praying a donation to them of part of the forfeited lands at Johnstown, in the said county, to enable them to rebuild their church and parish house; reported, that it is the opinion of the Committee, that the prayer of the petition should be granted, and for that purpose that a clause be added to the bill now before the House for the payment of contingent expences, to authorise the Commissioners for the sale of forfeited estates in the western district, to set apart _____ acres of the forfeited lands near Johnstown, or in such other place in the said county, as shall seem most convenient for that purpose.

Resolved, That this House do concur with the Committee in the said report.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such clause.

Mr. Humfrey, from the Committee to whom was referred the petition of Frederick Becker, praying relief as to the support of three idiot children of Bastian Becker, formerly of Schoharie, in the county of Albany, who went to Canada, and whose estate hath been forfeited and sold by reason of his adherence to the enemy; reported, that it is the opinion of the Committee, that the overplus of the amount of the sales of the estate formerly of the said Bastian Becker, after the payment of his debts, should remain in the treasury, and that an allowance be annually advanced to the overseers of the poor at Schoharie, towards the support of the said children.

Resolved, That the House do concur with the Committee in the said report.

A message from the Honorable the Council of Revision, delivered by the Honorable Mr. Justice Hobart, was read, "That it does not appear improper to the Council, that the bill entitled, *An act for the establishment of a custom house*, the bill entitled, *An act imposing duties on certain goods, wares and merchandize imported into this State*, and the bill entitled, *An act for the relief of Jane Blake, and the creditors of her late husband Jonathan Blake, deceased*, should severally become laws of this State.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Townsend, was read, that the Senate do not concur with this House in their resolution of the 15th instant, that the Legislature will adjourn on Saturday next.

Mr. Renssen, from the Committee of the whole House, on the bill, entitled, *An act more effectually to carry into execution the act, entitled, an act for raising £. 100,000, within the several counties therein mentioned, passed the 6th May, 1784; and also the act, entitled, an act to compel the payment of the arrearages of taxes, passed 24th July, 1782, and for other purposes therein mentioned*, reported, that the Committee have made further progress in the bill, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock, in the afternoon.

3 o'clock, P. M.

Mr. John Smith, from the Committee of the whole House, on the bill, entitled, *An act to vest the real estate of Anthony Byvanck the elder, deceased, in Trustees for the payment of his debts*, reported, that the Committee have gone through the bill without amendment, which he was directed to report to the House; and he read the report in his place, and delivered the bill in at the table, where the same was again read.

The said bill was then read a third time.

Resolved, That the bill do pass.

Ordered,

Ordered, That Mr. Goforth and Mr. Baker deliver the bill to the Honorable the Senate, and inform them that this House have passed the bill without amendment.

Mr. Talmadge, from the Committee of the whole House, on the bill, entitled, *An act to exempt Ludiwig Shoub and Peter Learman, from paying any part or share of the produce of a Mine, in the county of Westchester, to the people of this State, as sovereign thereof, until the*

day of May, in the year of our Lord, one thousand seven hundred and and on the bill, entitled, *An act to exempt Jonas Denton, his heirs, executors, administrators and assigns, from paying any part or share of the produce of a Mine, in the county of Orange, to the people of this State, as sovereign thereof, until the first day of May, which will be in the year of our Lord, one thousand seven hundred and*

reported, that the Committee had gone through the said bills, made amendments, united them into one bill, and altered the title; that the altered title is in the words following, viz. *An act to exempt Ludiwig Shoub and Peter Learman; and Jonas Denton, and their respective heirs, executors, administrators and assigns, from paying any part or share of the produce of the Mines therein mentioned, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.*

Ordered, That the bill and amendments be engrossed.

A message from the Honorable the Senate, delivered by Mr. Allison, with the bill therein mentioned, was read, that the Senate have passed the bill, entitled, *An act respecting certain prosecutions, existing in the Supreme Court of Judicature of this State, with the amendments therewith delivered.*

The bill and amendments were read, and the amendments being severally read a second time, were concurred in by the House, and the bill amended accordingly.

Ordered, That Mr. Sherwood and Mr. Mersereau return the said bill to the Honorable the Senate, and inform them that this House have concurred in the amendments, and have amended the bill accordingly.

A copy of a resolution of the Honorable the Senate, was delivered by Mr. Roosevelt, with the bill therein mentioned, that the Senate do concur with this House in their second amendment to the bill, entitled, *An act to explain and amend the act, entitled, an act relative to debts, due to persons within the enemy's lines, passed 12th July, 1782,* and do not concur with this House in their other amendments to the said bill; thereupon

Resolved, That this House do recede from their other amendments to the said bill.

Ordered, That Mr. Sherwood, and Mr. Mersereau deliver the said bill, and a copy of the last preceding resolution, to the Honorable the Senate.

Mr. Dunscomb, from the Committee of the whole House, on the bill, entitled, *An act to empower Fernandus Suydam, Elizabeth Debeavois and John Vanderbilt, administrators with the will annexed to Jacobus Debeavois, deceased, to execute the trust and power given to the executors, in the said will named; and also the bill, entitled, An act to empower Elizabeth Debeavois, widow, and Johannis E. Lott, and John Vanderbilt, Esquires, administrators to the estate of Joost Debeavois, deceased, to sell and dispose of the real estate of the said Joost Debeavois, for the payment of his debts, and other purposes,* reported, that the Committee had gone through the said bills respectively, without amendment, which he was directed to report to the House; and he read the report in his place, and delivered the said bills in at the table, where the same were again read, and agreed to by the House.

The said bill, entitled, *An act to empower Fernandus Suydam, Elizabeth Debeavois and John Vanderbilt, administrators, with the will annexed to Jacobus Debeavois, deceased, to execute the trust and power given to the executors in the said will named,* was read a third time.

Resolved, That the bill do pass.

The bill, entitled, *An act to empower Elizabeth Debeavois, widow, and Johannis E. Lott and John Vanderbilt, Esquires, administrators to the estate of Joost Debeavois, deceased, to sell and dispose of the real estate of the said Joost Debeavois, for the payment of his debts, and other purposes,* was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Vanderbilt and Mr. Doughty deliver the two last-mentioned bills to the Honorable the Senate, and inform them that this House have passed the same respectively, without amendment.

Then the House adjourned until ten of the clock to-morrow morning.

R

SATURDAY,

SATURDAY, 10 o'clock, A. M. November 20th, 1784.

A petition of James Weeks, of Dutchess county, was read, and referred to Mr. Adgate, Mr. John Lawrence and Mr. Patterson.

A petition of Neil Shaw, of the city of New-York, was read, and referred to Mr. J. Livingston, Mr. Goforth and Mr. Yates.

Mr. Visscher, from the Committee to whom was referred the petition of Joseph Crane, junior, praying relief from a prosecution against him, for goods seized under the law to prevent abuses in Flagg's Truce, reported, that it is the opinion of the Committee, that through the imperfections of the aforesaid law, persons making seizures under the same, have become exposed to suits by the owners of goods so seized; that it is not only just, but expedient, to relieve the citizens from injuries which may be sustained by them through the inattention of the Legislature; and that a bill should be ordered to be prepared and brought in for the relief of the petitioner, and other persons in similar circumstances.

Resolved, That the House do concur with the Committee in the said report.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such bill.

Mr. J. Livingston, from the Committee to whom was referred the petition of Col. Frederick Weissenfels, praying that some mode may be adopted by the Legislature for the settlement and pay of the levies, late under his command, who were drafted into the line of the continental army, reported, that the prayer of the petition ought to be granted, and that a clause for that purpose should be added to the bill now before the House, for the payment of contingent expences.

Resolved, That the House do concur with the Committee in the said report.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such clause.

The engrossed bill, entitled, *An act to exempt Ludiwig Shoub and Peter Learman, and Jonas Denton, and their respective heirs, executors, administrators and assigns, from paying any part or share of the produce of the mines therein mentioned*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Thomas and Mr. Hopkins deliver the bill to the Honorable the Senate, and request their concurrence.

The bill, entitled, *An act to authorise and require the commissioners of forfeitures for the southern district of this State, to grant part of the estate formerly of William Bayard, Esquire, to Charles M'Evers, of the city of New-York, merchant, in trust for his sister Catharine, the wife of the said William Bayard, and for other purposes therein mentioned*, was read a second time, and committed to a Committee of the whole House.

A message from the Honorable the Senate, was delivered by Mr. Whiting, with the bill therein mentioned, that the Senate have passed a bill, entitled, *An act for granting certain privileges to the College, heretofore called King's College, for altering the name and charter thereof, and erecting an University within this State, passed the 1st day of May, 1784*, to which they request the concurrence of this House.

The said bill was read the first time, and ordered a second reading.

The Honorable the Senate returned by Mr. Paine, the bill, entitled, *An act respecting certain prosecutions, existing in the Supreme Court of Judicature of this State*.

Ordered, That Mr. Pell and Mr. John Smith deliver the said bill to the Honorable the Council of Revision.

A message from the Honorable the Senate, delivered by Mr. McDougal, with the bill therein mentioned, was read, that the Senate have passed the bill, entitled, *An act to revive and amend an act, entitled, an act for the relief of insolvent debtors, within this State, passed 17th April, 1784*, with the amendments therewith delivered.

The bill, and amendments were read, and the amendments being severally read a second time, were respectively agreed to by the House, and the bill amended accordingly.

Ordered, That Mr. Sickles and Mr. Cooper return the bill to the Honorable the Senate, and inform them that the bill is amended accordingly.

A message from the Honorable the Senate, delivered by Mr. Paine, of that House, with the bill therein mentioned, was read, that the Senate have amended the bill, entitled,

titled, *An act to explain and amend the act, entitled, an act relative to debts due to persons within the enemy's lines, passed 12th July, 1782, agreeable to the amendment from this House, concurred in by the Senate.*

The amended bill having been examined; *Ordered*, That Mr. Cooper and Mr. Sickles return the said bill to the Honorable the Senate.

Mr. Remsen, from the Committee of the whole House, on the bill, entitled, *An act more effectually to carry into execution the act, entitled, an act for raising 100,000l. within the several counties therein mentioned, passed the 6th May, 1784; and also the act, entitled, an act to compel the payment of the arrearages of taxes, passed 24th July, 1782; and for other purposes therein mentioned*, reported, that in proceeding in the bill, a clause was read, whereby it was intended to be enacted, that the several certificates which are made receivable in purchases of forfeited estates should be received in payment of one moiety of the arrears of taxes—That the said clause having been read; the question was put, whether the Committee did agree to the same, and that it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Duncomb,	Mr. <i>Speaker</i> ,	Mr. Talmadge,	Mr. Denning,
Mr. Goforth,	Mr. Patterson,	Mr. Hopkins,	Mr. Clark,
Mr. Livingston,	Mr. Thomas,	Mr. Baker,	Mr. Cooper,
Mr. Becker,	Mr. John Smith,	Mr. Sherwood,	Mr. N. Smith,
Mr. Hardenbergh,	Mr. Pell,	Mr. D'Witt,	Mr. Humfrey,
Mr. Younglove,	Mr. Lockwood,	Mr. Townsend,	Mr. Veeder,
Mr. Joseph Lawrence,	Mr. Gilbert,	Mr. Sickles,	Mr. Mersereau.
Mr. J. Sands,	Mr. Burling,	Mr. Thompson,	

For the Affirmative.

Mr. Doughty,	Mr. Gelston,	Mr. Paine,	Mr. J. Livingston,
Mr. Vanderbilt,	Mr. Corfen,	Mr. Adgate,	Mr. Yates,
Mr. John Lawrence,	Mr. Jeffrey Smith,	Mr. Ford,	Mr. Visscher.

That in proceeding farther in the bill, on coming to the blank where time for paying in the last moiety of the arrears of taxes remaining due in pursuance of several former laws of this State, passed prior to the present year, was to be inserted; Mr. Sherwood made a motion, that the blank should be filled up with the words and figures, the first day of December, 1785. That debates arose on the said motion, and that the question being put thereon, it passed in the negative, in the manner following, viz,

For the Negative.

Mr. Duncomb,	Mr. J. Sands,	Mr. Gilbert,	Mr. Sickles,
Mr. Goforth,	Mr. <i>Speaker</i> ,	Mr. Burling,	Mr. Thompson,
Mr. Doughty,	Mr. Patterson,	Mr. Paine,	Mr. Denning,
Mr. Vanderbilt,	Mr. Thomas,	Mr. Talmadge,	Mr. Clark,
Mr. John Lawrence,	Mr. Jeffrey Smith,	Mr. Hopkins,	Mr. Cooper,
Mr. Livingston,	Mr. John Smith,	Mr. J. Livingston,	Mr. N. Smith,
Mr. Mersereau,	Mr. Pell,	Mr. Townsend,	Mr. Veeder,
Mr. Gelston,	Mr. Lockwood,	Mr. Randall,	Mr. Ford.
Mr. Corfen.			

For the Affirmative.

Mr. Becker,	Mr. Joseph Lawrence,	Mr. Adgate,	Mr. Yates,
Mr. Hardenbergh,	Mr. Baker,	Mr. D'Witt,	Mr. Visscher.
Mr. Younglove,	Mr. Sherwood,		

That on having come to the blank where the poundage on the collection of the arrears of taxes, to be allowed to the Collectors, in the cities of New-York and Albany, was to be inserted, Mr. Duncomb made a motion, That the said blank should be filled up with the words *four-pence*. That debates arose on the said motion, and that the question being put thereon, it passed in the negative, in the manner following, viz,

For the Negative.

Mr. Doughty,	Mr. <i>Speaker</i> ,	Mr. Talmadge,	Mr. Thompson,
Mr. Vanderbilt,	Mr. Patterson,	Mr. Hopkins,	Mr. Clark,
Mr. Becker,	Mr. Thomas,	Mr. Adgate,	Mr. Cooper,
Mr. Mersereau,	Mr. Jeffrey Smith,	Mr. Ford,	Mr. N. Smith,
Mr. Hardenbergh,	Mr. John Smith,	Mr. J. Livingston,	Mr. Humfrey,
Mr. Gelston,	Mr. Pell,	Mr. D'Witt,	Mr. Veeder,
Mr. Corfen,	Mr. Gilbert,	Mr. Townsend,	Mr. Yates.
Mr. J. Sands.	Mr. Burling,		

For

For the Affirmative.

Mr. Dunscomb,
Mr. Goforth,
Mr. John Lawrence,
Mr. Livingston,

Mr. Younglove,
Mr. Joseph Lawrence,
Mr. Lockwood,

Mr. Baker,
Mr. Sherwood,
Mr. Randall,

Mr. Sickles,
Mr. Denning,
Mr. Visscher.

That the Committee have made further progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until Monday next, at ten of the clock in the forenoon.

M O N D A Y, 10 o'clock, A. M. November 22d, 1784.

A petition of Cornelius T. Jansen, was read, and referred to Mr. John Lawrence, Mr. Paine and Mr. D'Witt.

A petition of Noel Jean Barberin, praying by law the privilege of being naturalized and becoming a citizen, was read and referred to Mr. Ford, Mr. Cooper and Mr. Joseph Lawrence.

Mr. Adgate made a motion for a resolution, which having been agreed to by the House, the House concurred in a resolution, in the words following, viz.

Whereas all lands vested in the King of Great-Britain, while it was a Colony, is now vested in the people of this State. *And whereas* it is conceived, that certain lands in the city and county of New-York, formerly called and known by the name of the King's Farm, and the King's Garden is now the property of the State, which was by law sequestered for the use and benefit of the Governor's of the late Colony, for the time being; and the said Governor's respectively, were prohibited from leasing or granting the said lands for a longer period than their respective continuance in office. Therefore

Resolved, that a Committee be appointed to examine the laws and records of this State, concerning the premises, and to make report thereon. That Mr. P. W. Yates, Mr. Denning, Mr. Adgate, Mr. Goforth and Mr. Pell, be a Committee for that purpose, and that the Secretary of the State, be ordered to furnish the said Committee with such extracts from the records as they shall think necessary for the information of the Legislature.

The bill entitled, "*An act to amend an act, entitled, an act for granting certain privileges to the College, heretofore called King's College, for altering the name and charter thereof, and erecting an University within this State,*" passed the 1st day of May 1784, was read a second time, and committed to a Committee of the whole House.

A message from the Honorable the Senate was delivered by Mr. Finck, with the bill therein mentioned, that the Senate have passed the bill, entitled, "*An act to remove doubts concerning the Corporation, of the borough and town of Westchester,*" to which they request the concurrence of this House.

The said bill was read the first time, and ordered a second reading.

A message from the Honorable the Senate, was delivered by Mr. L'Hommedieu, that the Senate have passed the bill, entitled, "*An act to exempt Ludiwig Shoub and Peter Learman, and Jonas Denton, and their respective heirs, executors, administrators and assigns, from paying any part or share of the produce of the mines therein mentioned, without amendment.*"

Ordered that Mr. Goforth and Mr. Pell, deliver the said bill to the Honorable the Council of Revision.

Mr. Remsen, from the Committee of the whole House, on the bill, entitled, "*An act more effectually to carry into execution an act for raising £. 100,000, within the several counties therein mentioned, passed the 6th May, 1784; and also the act, entitled, an act to compel the payment of the arrearages of taxes, passed 24th July, 1782, and for other purposes therein mentioned,*" reported, that in proceeding on that part of the bill, which relates to the arrears of five different taxes, assessed in pursuance of five several laws of the State, passed between the 30th June, 1781, and the 25th March, 1783, both days included, Mr. Yates made a motion that a clause should be inserted in the bill, in the words following, viz.

" And

"And be it further enacted by the authority aforesaid, that the arrears of taxes, due on all or any of the said last mentioned acts, may be collected and paid in certificates, receivable in payment on the sale of confiscated lands; but that no interest shall be computed or allowed on such certificates so paid as aforesaid."

That the said clause having been read, debates arose thereon. That Mr. Merfereau then moved for the previous question; whether the question on the motion of Mr. Yates shall be now put? and the question being put on the motion of Mr. Merfereau, it was carried in the affirmative (that the question of Mr. Yates shall not be now put) in the manner following, viz.

For the Affirmative.

Mr. Duncomb,
Mr. Goforth,
Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Merfereau,
Mr. Hardenbergh,
Mr. Joseph Lawrence,
Mr. Corfen,

Mr. J. Sands,
Mr. *Speaker*,
Mr. Patterfon,
Mr. Thomas,
Mr. Jeffrey Smith,
Mr. John Smith,
Mr. Pell,
Mr. Lockwood,
Mr. Gilbert,

Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,
Mr. Townsend,
Mr. Randall,
Mr. Sickles,

Mr. Thompson,
Mr. Denning,
Mr. Clark,
Mr. Brinckerhoff,
Mr. Cooper,
Mr. N. Smith,
Mr. Humfrey,
Mr. Veeder.

For the Negative.

Mr. John Lawrence,
Mr. Gelston,
Mr. Younglove,

Mr. *Adgate*,
Mr. Ford,
Mr. J. Livingston,

Mr. Harper,
Mr. D'Witt,

Mr. Yates,
Mr. Visscher.

That the Committee have gone through the bill, made amendments, and altered the title; that the altered title is in the words following, viz. *An act to compel the payment of the arrears of taxes, and other purposes*, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Then the House adjourned until four of the clock in the afternoon.

4 o'clock, P. M.

The Honorable the Senate returned by Mr. Swartwout the bill, entitled, *An act to revive and amend an act, entitled, An act for the relief of insolvent debtors, within this State, passed 17th April, 1784.*

Ordered, That Mr. Clark and Mr. Burling deliver the said bill to the Honorable the Council of Revision.

A message from the Honorable the Senate was delivered by Mr. Finck, with the bill therein mentioned, that the Senate have passed the bill, entitled, *An act instituting a Court for the Trial of Impeachments, and the Correction of Errors*, with the amendment therewith delivered—The bill and amendment were read, and the amendment being read a second time, was not concurred in by the House. Thereupon

Resolved, That this House do not concur with the Honorable the Senate, in the said amendment.

Ordered, That Mr. Clark and Mr. J. Sands deliver a copy of the last preceding resolution, and the said bill, to the Honorable the Senate.

Mr. Townsend, from the Committee of the whole House, on the bill, entitled, *An act for the payment of certain contingent expences, and for other purposes*, reported, that the Committee have made some progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Townsend of that House, with the bill therein mentioned, was read, that the Senate do recede from their amendment to the bill, entitled, *An act instituting a Court for the Trial of Impeachments and the Correction of Errors*.

Ordered, That Mr. Yates and Mr. Visscher deliver the said bill to the Honorable the Council of Revision.

Then the House adjourned until ten of the clock to-morrow morning.

S

TUESDAY,

TUESDAY, 10 o'clock, A. M. November 23d, 1784.

A petition of David Grim, was read, and referred to Mr. Dunscornb, Mr. Humfrey, and Mr. Gelston.

A petition of Morgan Lewis, was read, and referred to Mr. Pell, Mr. Goforth, and Mr. Adgate.

A petition of George Tennis, praying that his name may be inserted in the bill now before the House for the naturalization of foreigners, was read, and referred to Mr. Ford, Mr. Cooper and Mr. Joseph Lawrence.

A petition of Thomas Rice, of New-Haven, in the State of Connecticut, with an account against George Muirson thereto annexed, were read, and referred to Mr. Jeffrey Smith, Mr. John Lawrence, and Mr. Harper.

A petition of Samuel Francis, with copies of sundry certificates attending the same, were read, and referred to Mr. D'Witt, Mr. Ford and Mr. Randall.

A petition of John Denny, was read, and referred to Mr. Vanderbilt, Mr. Randall and Mr. Humfrey.

A petition of Philip Case, on behalf of himself and his associates, was read, and referred to Mr. Hopkins, Mr. Yates, and Mr. Joseph Lawrence.

The engrossed bill, entitled, *An act to compel the payment of the arrears of taxes, and for other purposes*, was read a third time.

Resolved, That the bill do pass.

Ordered, That Mr. Hardenbergh and Mr. Joseph Lawrence deliver the said bill to the Honorable the Senate, for concurrence.

Then the House adjourned until three of the clock, in the afternoon.

3 o'clock, P. M.

A message from the Honorable the Senate was delivered by Mr. M'Dougall, with the bill therein mentioned, that the Senate have passed a bill, entitled, *An act for the more easy assessment of taxes, in the city and county of New-York, altering the mode of punishment in certain cases of Petit Larceny, and for the confinement of vagrants and lewd women to hard labour*, to which they request the concurrence of this House.

The said bill was read the first time, and ordered a second reading.

Mr. Townsend, from the Committee of the whole House, on the bill, entitled, *An act for the payment of certain contingent expences, and for other purposes therein mentioned*, reported, that in proceeding in the bill, and on having come to the blank where the allowance per day to the members of the Legislature was to be inserted, Mr. Yates made a motion that *twelve shillings* should be therein inserted; that Mr. Adgate made a motion that the same should be filled up with the words *sixteen shillings*—That debates arose on the said motion, and that the question being put thereon, it was carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Duncomb,
Mr. Goforth,
Mr. John Lawrence,
Mr. Becker,
Mr. Hardenbergh,
Mr. J. Sands,
Mr. Speaker,

Mr. Thomas,
Mr. Burling,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,

Mr. Adgate,
Mr. Ford,
Mr. J^r Livingston,
Mr. Harper,
Mr. D'Witt,
Mr. Sickles,

Mr. Thompson,
Mr. Denning,
Mr. Cooper,
Mr. N. Smith,
Mr. Veeder,
Mr. Younglove.

For the Negative.

Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Mercereau,
Mr. Gelston,

Mr. Joseph Lawrence,
Mr. Corfen,
Mr. C. Sands,
Mr. Patterson,
Mr. Jeffrey Smith,

Mr. John Smith,
Mr. Pell,
Mr. Lockwood,
Mr. Gilbert,
Mr. Randall,

Mr. Clark,
Mr. Brinckerhoff,
Mr. Humfrey,
Mr. Yates,
Mr. Visscher.

That the said blank was accordingly filled up with the words *sixteen shillings*.

That on the clause of the bill being read directing a quantity of lands should be set apart for the use of the Lutheran congregation at Stone Arabia, in Montgomery county, and having come to the blank where the quantity of the land was to be inserted, Mr. Adgate made a motion, That the words *one hundred acres* should be inserted.

inserted. That debates arose on the said motion, and that the question being put thereon, it was carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Duncomb,
Mr. Vanderbilt,
Mr. John Lawrence,
Mr. Livingston,
Mr. Becker,
Mr. Mesfereau,
Mr. Gelfton,
Mr. Younglove,

Mr. Joseph Lawrence,
Mr. Corfen.
Mr. C. Sands,
Mr. J. Sands,
Mr. Patterson,
Mr. Jeffrey Smith,
Mr. Lockwood,

Mr. Talmadge,
Mr. Ford.
Mr. J. Livingston,
Mr. Harper,
Mr. D'Witt,
Mr. Randall,
Mr. Sickles,

Mr. Humfley,
Mr. Thompson,
Mr. Denning,
Mr. Brinckerhoff,
Mr. Veeder,
Mr. Yates,
Mr. Visscher.

For the Negative.

Mr. Goforth,
Mr. Speaker,
Mr. Thomas,

Mr. John Smith,
Mr. Gilbert,
Mr. Burling,

Mr. Hopkins,
Mr. Baker,
Mr. Sherwood,

Mr. Adgate,
Mr. Clark,
Mr. Cooper.

The said blank was accordingly filled up with the words one hundred acres.

That in proceeding farther in the bill, Mr. Yates made a motion that a clause should be inserted in the words following, viz.

"Whereas by the 30th clause of the act entitled, *An act imposing duties on the importation of certain goods, wares and merchandize*, passed the 22d day of March, 1784; it was enacted that the Collector for the port of New-York, should be entitled to retain and deduct out of the money that should come into his hands, in pursuance of the said act, a salary, at and after the rate of 1200 l. per annum, as a full reward and compensation for his services, and for house or office rent, Clerks hire, firewood, Messengers and Servants to attend the office, stationary and all other contingent expences whatsoever.

"And whereas the said salary for the time past appears to the Legislature to be insufficient;

"Be it therefore enacted by the authority aforesaid, That the said salary of 1200l. mentioned in the said act, shall be and is hereby encreased to the sum of 1."

That the said clause having been read; debates arose thereon, and the question being put, whether the Committee did agree to the same, and it was carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Duncomb,
Mr. Goforth,
Mr. John Lawrence,
Mr. Gelfton,
Mr. Younglove,
Mr. Joseph Lawrence,
Mr. Speaker,

Mr. Patterson,
Mr. Thomas,
Mr. Jeffrey Smith,
Mr. Pell,
Mr. Burling,
Mr. Sherwood,

Mr. Adgate,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Randall,
Mr. Denning,

Mr. Clark,
Mr. Cooper,
Mr. N. Smith,
Mr. Veeder,
Mr. Yates,
Mr. Visscher.

For the Negative.

Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Becker,
Mr. Mesfereau,
Mr. Hardenbergh,

Mr. Cooper,
Mr. J. Sands,
Mr. C. Sands,
Mr. John Smith,
Mr. Lockwood,

Mr. Gilbert,
Mr. Paine,
Mr. Talmadge,
Mr. Hopkins,
Mr. Baker,

Mr. D'Witt,
Mr. Sickles,
Mr. Thompson,
Mr. Brinckerhoff,
Mr. Humfrey.

That Mr. Yates afterwards made a motion, that the said encreased salary or sum to be inserted in the said clause, should be 1500l.—That debates arose on the sum proposed by the said motion, and that the question being put thereon, it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Vanderbilt,
Mr. Livingston,
Mr. Mesfereau,
Mr. Hardenbergh,
Mr. Joseph Lawrence,
Mr. Corfen,

Mr. C. Sands,
Mr. J. Sands,
Mr. John Smith,
Mr. Lockwood,
Mr. Gilbert,
Mr. Talmadge,

Mr. Hopkins,
Mr. Baker,
Mr. Adgate,
Mr. D'Witt,
Mr. Randall,

Mr. Sickles,
Mr. Thompson,
Mr. Brinckerhoff,
Mr. Cooper,
Mr. Humfrey,

For the Affirmative.

Mr. Duncomb,
Mr. Goforth,
Mr. John Lawrence,
Mr. Becker,
Mr. Gelfton,

Mr. Younglove,
Mr. Speaker,
Mr. Patterson,
Mr. Jeffrey Smith,
Mr. Burling,

Mr. Sherwood,
Mr. Ford,
Mr. J. Livingston,
Mr. Harper,
Mr. Denning,

Mr. Clark,
Mr. N. Smith,
Mr. Veeder,
Mr. Yates,
Mr. Visscher.

That

That Mr. Visscher then made a motion, that the said encreased salary or sum to be inserted in the said clause, should be 1400 l.

That the question being put on the said motion of Mr. Visscher, it was carried in the affirmative, and the sum of 1400 l. there inserted.

That the Committee have gone through the bill, and made amendments, which he was directed to report to the House: And he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the bill and amendments be engrossed.

Then the House adjourned until ten of the clock to-morrow morning.

W E D N E S D A Y, 10 o'Clock, A. M. November 24th, 1784.

A message from the Honorable the Council of Revision, was delivered by the Honorable Mr. Chief Justice Morris, that it does not appear improper to the Council, That the bill, entitled, *An act respecting certain prosecutions existing in the Supreme Court of Judicature of this State*, and the bill entitled, *An act instituting a Court for the trial of impeachments and the correction of errors*, should severally become laws of this State.

A petition of James Inglis, was read, and referred to Mr. Dunscomb, Mr. Humfrey and Mr. Gelston.

A petition of Walter King, was read, and referred to Mr. Adgate, Mr. Doughty and Mr. Brinckerhoff.

A petition of Rebecca Aspinwall, Paschal N. Smith, and others, was read, and referred to Mr. Remsen, Mr. Younglove and Mr. Humfrey.

A petition of James Parr, with a certificate attending the same, was read, and referred to Mr. Livingston, Mr. Yates and Mr. Hardenbergh.

The bill, entitled, *An act to remove doubts concerning the Corporation of the borough and town of Westchester*, and the bill entitled, *An act for the more easy assessment of taxes in the city and county of New-York, altering the mode of punishment in certain cases of petit larceny, and for the confinement of vagrants and lewd women to hard labour*, were severally read a second time, and committed to a Committee of the whole House.

Mr. Goforth from the Committee to whom was referred the petition of Nicholas De Riemer, and others, stating their claims to a certain tract of land, in the city and county of New-York, called Domini's farm, and which has been sold by the commissioners for the sale of forfeited estates in the southern district of this state, as forfeited to the people of this State by the attainder of James De Lancey, and praying that the Legislature would take their case into consideration, and extinguish their claim by a reasonable compensation, reported, that the claim of the petitioners involves in it a question that would be improper for the Legislature to enter into an investigation of, as the laws and courts of justice are adequate thereto; and that it would be improper for the Legislature to give any sum of money to the petitioners for a release of, or the extinguishment of their title, until such decision is made; and that the Committee are therefore of opinion, that the prayer of the petition ought not to be granted.

Resolved, That the House do concur with the Committee in the said report.

Mr. Pell, from the Committee to whom was referred the petition of Samuel Skidmore, surviving executor of the last will and testament of Thomas Denton, late of Jamaica, in Queens county, deceased, praying that a release in mortgage executed by Richard Dean, of the city of New-York, and Mary his wife, to the petitioner, and others, executors as aforesaid, for securing the payment of one thousand one hundred pounds, dated on the 10th day of April, 1778, acknowledged before Hugh Wallace, who then stiled himself one of his Majesty's council for the province of New-York, and recorded by Whitehead Hicks, who then stiled himself clerk of Queens county aforesaid, may by law be declared valid, and prior to a deed of mortgage of the same premises, of subsequent date, executed by the said Richard Dean, and Mary his wife, to William Dean, his brother, for securing the payment of 800 l. which last-mentioned mortgage has been duly acknowledged and recorded since the establishment of civil government in the southern district of this State, reported, that it is the opinion of the Committee, that although the last-mentioned mortgage has been duly acknowledged and registered under

der the government of the State, yet as both mortgages were made and executed by parties resident within the power of the British troops during the late war, and as the monies for securing the payment whereof the first above mentioned mortgage was given, were lent by Executors in the behalf of infants, a due regard to Justice requires that the same and the registry thereof be declared valid, and that a bill be ordered to be brought in for that purpose.

Resolved, That the House do concur with the Committee in the said report.

Ordered, That the Committee to whom the said petition was referred, do prepare and bring in such bill.

Mr. Pell from the Committee to whom was referred the petition of Morgan Lewis, reported, that the petitioner sets forth, that on the 13th of May last, in pursuance of the *Act for the speedy sale of the confiscated and forfeited estates within this State, and for other purposes therein mentioned*, he located upon an house and eight acres of ground, near Corlears Hook, deemed to have become forfeited to this State by the attainder of Thomas Jones, Esquire.—That in consequence of an appraisement of the said house and eight acres of ground, was made at the sum of 3333^l. 13s. 4.—That it was afterwards suggested to the Commissioners, that the said Thomas Jones had a property in only two acres and one third of an acre of the said lands, upon which the said Commissioners, after taking council in the matter, were of opinion that they could not convey more of the lands aforesaid, than appeared to be the property of the said Thomas Jones, and refused to convey more than the said two acres and one third of an acre, and the appraisors were directed to apportion the value thereof.—That the said petitioner has it now in his power to prove a property in the said Thomas Jones, to six of the said acres, including the two acres and one third of an acre, already conveyed to him; and that the petitioner prays that the said Commissioners may be directed to convey to him the three acres and two thirds of an acre, residue of the property of the said Thomas Jones, originally located by the petitioner, upon his paying the value thereof in depreciation certificates, as he would have had a right to have done, had his original location been allowed; the relative value thereof to be ascertained by the same appraisors aforesaid. That the Committee have agreed to a resolution in the words following, which they have directed him to report to the House; viz.

Resolved, (if the Honorable the Senate concur herein) that the commissioners of forfeitures for the Southern district of this State be, and they are hereby requested to cause an appraisement to be made of the aforesaid three acres and two thirds of an acre, residue of the property of the said Thomas Jones, in the eight acres of land originally located by the said Morgan Lewis; and that the Legislature will at their next meeting, make provision for the conveyance of the same to him.

Mr. Pell read the said report in his place, and delivered the same in at the table, where the same was again read.

Mr. *Speaker* then put the question whether the House did concur with the Committee in the said report, and it passed in the negative. Thereupon

Resolved, That the House do not concur with the Committee in the said report.

Mr. Gilbert from the Committee to whom was referred the petition of Thomas Jones, on behalf of himself and John Jones, and the petition of Jane Byrne, respectively praying payment of debts thereby alledged to be due to them from persons whose estates have become forfeited to and vested in the people of this State, reported, that it is the opinion of the said Committee, that if the petitioners have any legal demands on this State, for debts due to them from persons whose estates have been forfeited to the people of this State, that provision is already made for them, by an act of the Legislature, entitled, *An act for the speedy sale of the confiscated and forfeited estates within this State, and for other purposes therein mentioned*, passed the 12th May, 1784; and that therefore the interposition of the Legislature is not necessary.

Resolved, That the House do concur with the Committee in the said report.

Mr. Jeffrey Smith from the Committee of the whole House, on the bill entitled, *An act to amend an act, entitled, an act for granting certain privileges to the College heretofore called Kings College, for altering the name and charter thereof, and for erecting an University within*

within this State, passed the 1st May, 1784, reported, that the Committee have made some progress therein, and have directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

A message from the Honorable the Council of Revision, was transmitted to this House by the Honorable the Senate, That it does not appear improper to the Council, that the bill entitled, *An act to vest the real estate of Anthony Byvanck, the elder, deceased, in trustees for the payment of his debts*, and the bill, entitled, *An act to empower Fernandus Suydam, Elizabeth Debeavois and John Vanderbilt, administrators with the Will annexed to Jacobus Debeavois, deceased, to execute the trust and power given to the executors in the said Will named*, and the bill entitled, *An act to explain and amend the act, entitled, an act relative to debts due to persons within the enemies lines*, should severally become laws of this State.

The engrossed bill, entitled, *An act for the payment of certain contingent expences, and for other purposes therein mentioned*, was read a third time.

Mr. D'Witt then made a motion that the recitals and clause which encreases the allowance or salary, formerly given to the Collector of the port of New-York, for his services and disbursements, should be obliterated. The said recitals and clause being again read, are in the words following, viz.

"Whereas by the 30th clause of the act entitled, *An act imposing duties on the importation of certain goods, wares and merchandize*, passed the 22d day of March, 1784; it was enacted that the Collector for the port of New-York, should be entitled to retain and deduct out of the money that should come into his hands, in pursuance of the said act, a salary, at and after the rate of 1200 l. per annum, as a full reward and compensation for his services, and for house or office rent, Clerks hire, firewood, Messengers and Servants to attend the office, stationary and all other contingent expences whatsoever.

"And whereas the said salary for the time past appears to the Legislature to be insufficient;

"Be it therefore enacted by the authority aforesaid, That the said salary of twelve hundred pounds mentioned in the said act, shall be and is hereby encreased to the sum of one thousand four hundred pounds."

Debates arose on the said motion; and the question being put thereon, whether the said recitals and clause should be obliterated, it passed in the Negative, in the manner following, viz.

For the Negative.

Mr. Duncomb,
Mr. Goforth,
Mr. Becker,
Mr. Hardenbergh,
Mr. Gelston,
Mr. Younglove,
Mr. Joseph Lawrence,

Mr. Patterson,
Mr. Jeffrey Smith,
Mr. Pell,
Mr. Burling,
Mr. Baker,
Mr. Sherwood,
Mr. Adgate,

Mr. Ford,
Mr. Harper,
Mr. J. Livingston,
Mr. Townsend,
Mr. Denning,
Mr. Clark,

Mr. N. Smith,
Mr. Veeder,
Mr. Yates,
Mr. Visscher,
Mr. John Lawrence,
Mr. Burr.

For the Affirmative.

Mr. Doughty,
Mr. Vanderbilt,
Mr. Livingston,
Mr. Merfereau,
Mr. Corfen,

Mr. J. Sands,
Mr. Remsen,
Mr. John Smith,
Mr. Lockwood,
Mr. Gilbert,

Mr. Hopkins,
Mr. Thomas,
Mr. D'Witt,
Mr. Randall,

Mr. Sickles,
Mr. Brinckerhoff,
Mr. Cooper,
Mr. Humfrey.

Mr. Speaker then put the question whether the bill shall pass, and it was carried in the affirmative. Thereupon

Resolved, That the bill do pass.

Ordered, That Mr. Pell and Mr. J. Sands, deliver the said bill to the Honorable the Senate, and request their concurrence.

Mr. D'Witt from the Committee to whom was referred the petition of Abraham Lott, Treasurer of the late Colony of New-York, relative to the debts due from him to this State, reported, that it appears to the Committee, that the said Abraham Lott is possessed of property fully sufficient to discharge the balance due from him to the

the State, but that his property consists in lands, mortgages and specialties, which cannot immediately be converted into cash.—That if he should be compelled forthwith to raise the balance by the sale of his lands, and by suits against persons indebted to him, it will not only prove injurious to him, but highly distressing to the persons indebted to him. That the Committee are farther of opinion, that considering the losses, which not only the said Abraham Lott, but also his sureties who now stand bound to the State for the said balance, have sustained in the course of the late war, a farther time ought to be allowed to him to discharge the said balance, but that the suit lately commenced against him ought to be prosecuted to final judgment.—That the said Abraham Lott be allowed time to pay the said balance as follows, to wit, the one moiety of the said balance in one year, and the other moiety in two years, together with interest at the rate of seven per centum per annum; and that in case of the non-payment of the said moieties, or either of them, with interest as aforesaid, execution or executions shall and may issue for compelling the payment thereof, together with costs; and that a bill should be ordered to be brought in to carry the matter by this report proposed, into effect.

Resolved, That the House do concur with the Committee in the said report.

Ordered, That Mr. P. W. Yates, Mr. D'Witt, Mr. C. Sands, Mr. Adgate, Mr. W. Livingston and Mr. Vanderbilt, prepare and bring in such bill.

Then the House adjourned until ten of the clock to-morrow morning.

THURSDAY, 10 o'clock, A. M. November 25th, 1784.

A message from the Honorable the Council of Revision, was delivered by Mr. Chief Justice, that it does not appear improper to the council, that the bill, entitled, *An act to revive and amend an act, entitled, an act for the relief of insolvent debtors, within this State, passed 17th April, 1784*; and the bill, entitled, *An act to exempt Ludwig Shoub and Peter Learman, and Jonas Denton, and their respective heirs, executors, administrators and assigns, from paying any part or share of the produce of the Mines therein mentioned*, should severally become laws of this State.

The bill, entitled, *An act to dissolve the marriages of John Wood, of Goshen, in Orange county, and Elizabeth his wife, Nathaniel Tucker, of North-Castle, in Westchester county, and Nancy his wife, and Richard Seaman, late of North-Hemstead, in Queens county, and Elizabeth his wife*, was read a second time, and committed to a Committee of the whole House.

A message from the Honorable the Senate, was delivered by Mr. Roosevelt, with the bill therein mentioned, that the Senate have passed the bill, entitled, *An act to compel the payment of the arrearages of taxes, and for other purposes*, with the amendments therewith delivered.

The bill and amendments were read, and the amendments being severally read a second time, were agreed to by the House, and the bill amended accordingly. One of the amendments being to the title, the amended title is in the words following, viz. *An act to compel the payment of the arrears of taxes, for enforcing the payment of fines and amerciaments, obliging Sheriffs to give security for the due execution of their offices, and for other purposes*.

Ordered, That Mr. J. Livingston and Mr. Becker, deliver the bill to the Honorable the Senate, and inform them that this House have concurred in the amendments, and have amended the bill accordingly.

Then the House adjourned until three of the clock, in the afternoon.

3 o'clock, P. M.

The Honorable the Senate returned by Mr. Allison, the bill, entitled, *An act to compel the payment of the arrears of taxes, for enforcing the payment of fines and amerciaments, obliging Sheriffs to give security for the due execution of their offices, and for other purposes*.

Ordered, That Mr. Pell and Mr. Thomas, deliver the bill to the Honorable the Council of Revision.

Mr. Jeffrey Smith, from the Committee of the whole House, on the bill, entitled, *An act to amend an act, entitled, an act for granting certain privileges to the College, heretofore called Kings College, for altering the name and charter thereof, and erecting an University within*

in this State, passed the 1st May, 1784, reported, that the Committee have gone through the bill, and made amendments, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

The bill and amendments were then read a third time.

Resolved, That the bill and amendments do pass.

Ordered, That Mr. Hardenbergh and Mr. Sickles, deliver the said bill for the Honorable the Senate, and inform them that this House have passed the bill, with the amendments therewith delivered.

Then the House adjourned until ten of the clock to-morrow morning.

FRIDAY, 10 o'Clock, A. M. November 26th, 1784.

Mr. Clark, from the Committee of the whole House, on the bill, entitled, *An act to enable the clerks of the respective cities and counties within this State, to cancel the records of certain mortgages, made and executed to persons whose estates are forfeited, on proof that such mortgages are satisfied,* reported, that the Committee have gone through the bill, and made amendments, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

The bill and amendments were then read a third time.

Resolved, That the bill and amendments do pass.

Mr. Goforth from the Committee of the whole House, on the bill, entitled, *An act for the more easy assessment of taxes, in the city and county of New-York, altering the mode of punishment in certain cases of petit larceny, and for the confinement of vagrants and lewd women to hard labour,* reported, that the Committee have gone through the bill, made amendments, and altered the title; that the altered title is in the words following, viz. *An act for the more easy assessment of taxes in the city and county of New-York, altering the mode of punishment in certain cases of petit larceny, and for the confinement of vagrants and lewd persons to hard labour,* which he was directed to report to the House; and he read the report in his place, and delivered the bill, and amendments in at the table, where the same were again read, and agreed to by the House.

The bill and amendments were then read a third time.

Resolved, That the bill and amendments do pass.

Ordered, That Mr. Clark and Mr. Doughty deliver the two last-mentioned bills to the Honorable the Senate, and inform them that this House have passed the said bills respectively, with the amendments therewith delivered.

A message from the Honorable the Senate, delivered by Mr. Whiting, with the bill therein mentioned, was read, that the Senate have concurred in the amendments to the bill, entitled, *An act to amend an act, entitled, an act for granting certain privileges to the College heretofore called Kings College, for altering the name and charter thereof, and erecting an University within this State,* passed the 1st day of May, 1784, and have amended the bill accordingly.

The amended bill being examined, *Ordered,* That Mr. Clark and Mr. Doughty deliver the same to the Honorable the Senate.

Mr. Adgate, from the Committee to whom was referred the petition of Pepoon and Brown, William Wilkin and company, and Benjamin Pepoon, of Berkshire county, in the State of Massachusetts, praying that the duties which have arisen on certain goods and merchandize by them purchased at Boston, in the State aforesaid, and for greater convenience transported by water to Kinderhook, in the county of Albany, and from thence by land into Berkshire county aforesaid, may be remitted to them, reported, that as the goods were purchased in Massachusetts by inhabitants of that State, for the consumption of the inhabitants thereof, and were only brought into this State for the greater convenience of transportation from one part of the said State of Massachusetts to another, the Committee are of opinion, that the prayer of the petition ought to be granted.

Mr. Livingston, from the Committee to whom was referred the petition of James Parr, praying that he, with his sureties, may be exonerated from the penalty of their obligation

obligation given to the collector of the customs of the port of New-York, for duties on certain goods purchased for Indian trade, for which an impost had before that time been paid when they were first imported into this State from Europe, are of opinion, that the prayer of the petitioner ought to be granted, on the petitioner paying the charges incurred at the custom house; thereupon

Resolved, If the Honorable the Senate concur herein, that the collector of the port of New-York suspend enforcing the payment of the money on a bond given by Prince Gorham for duties on certain goods, wares and merchandize, suggested to have been purchased at Boston, in the State of Massachusetts, by Messrs. Pepoon and Brown, William Walker and Company, and Benjamin Pepoon, citizens of the said State, and brought into this State, for the more easy transportation of the same, to the county of Berkshire, in Massachusetts, which, it is said they were designed for; and also to suspend enforcing the payment of the money on a bond given by James Parr, for duties on certain goods, wares and merchandize suggested by him to have been carried from hence after the duties paid thereon, and to have been again brought back for the more easy transportation of them into the Indian or Western country, until the rising of the Legislature, at their next meeting; and that the Legislature will indemnify him for so doing: And that in the interim, the said persons respectively procure such proofs to be laid before the Legislature at their next meeting, as may be proper to ascertain the several facts suggested in their respective memorials.

Ordered, That Mr. Vanderbilt and Mr. Veeder, deliver a copy of the last preceding resolution to the Honorable the Senate.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

A message from the Honorable the Senate, delivered by Mr. Paine of that House, with the bill therein mentioned, was read, that the Senate have concurred in the amendments to the bill, entitled, *An act to enable the Clerks of the respective cities and counties within this State, to cancel the records of certain mortgages, made and executed to persons whose estates are forfeited*, and have amended the same accordingly.

The amended bill having been examined, *Ordered*, That Mr. Thompson and Mr. Harper return the same to the Honorable the Senate.

A message from the Honorable the Senate, delivered by Mr. Finck, with the bill therein mentioned, was read, that the Senate have concurred in the amendments to the bill, entitled, *An act for the more easy assessment of taxes in the city and county of New-York, altering the mode of punishment in certain cases of petit larceny, and for the confinement of vagrants and lewd persons, to hard labour*, and have amended the same accordingly.

The amended bill having been examined,

Ordered, That Mr. Visscher and Mr. Hopkins, return the same to the Honorable the Senate.

Mr. Remsen made a motion, that a Committee be appointed for the purposes in the following order mentioned. Thereupon

Ordered, That a Committee be appointed to consider the importance of, and the advantages that will arise to this State, by a liberal encouragement of a commercial intercourse between the citizens of this State, and the different Indian Nations; and that such Committee do consult and advise with the Commissioners of Indian affairs in this State, in order to enable the said Committee to report at the next meeting of the Legislature, a bill for securing to this State the advantages that the natural situation of this State affords, to carry on the said commercial intercourse on principles of honor and integrity, and that Mr. Yates, Mr. Visscher and Mr. J. Livingston, be a Committee for that purpose.

Mr. Ford made a motion in the words following, viz.

I move that a Committee be appointed to prepare and bring in a bill at the next meeting of the Legislature, to regulate the fees of the respective Courts of Record in this State, and also the fees of Councillors and Attornies at law. Thereupon

Ordered, That Mr. Adgate, Mr. Pell and Mr. Humfrey, be a Committee to prepare and bring in a bill at the next meeting of the Legislature, to regulate the fees of

the respective Courts of Record in this State, and also the fees of Councillors and Attornies at law.

Resolved, (if the Honorable the Senate concur herein) That the Monument by the United States in Congress assembled, ordered to be erected to the memory of Major-General Montgomery, be erected in the city of New-York, at such particular place as the Mayor, Aldermen and Commonalty of the said city in Common Council convened, shall appoint; and that his Excellency the Governor be requested to transmit to Timothy Pickering, Esquire, who is charged with the superintendence thereof, a copy of this resolution.

Ordered, That Mr. John Lawrence and Mr. C. Sands, deliver a copy of the preceding resolution, to the Honorable the Senate.

A copy of a resolution of the Honorable the Senate, delivered by Mr. L'Homme-dieu, was read, concurring with this House in the preceding resolution.

Ordered, That Mr. Clark and Mr. Vanderbilt, deliver a copy of the preceding resolution, and of the resolution of concurrence of the Honorable the Senate, to his Excellency the Governor.

A copy of a resolution of the Honorable the Senate, delivered by Mr. L'Homme-dieu, was read, concurring with this House in their resolution of this day, that the Collector for the port of New-York suspend enforcing the payment of monies due on a bond of Prince Goreham for duties, and also of monies due on a bond of James Parr for duties, until the rising of the Legislature at their next meeting.

Then the House adjourned until nine of the clock to-morrow morning.

SATURDAY, 9 o'Clock, A. M. November 27th, 1784.

A message from the Honorable the Council of Revision, was delivered by Mr. Chief Justice, That it does not appear improper to the Council, that the bill, entitled, *An act to compel the payment of the arrears of taxes, for enforcing the payment of fines and amerciaments, obliging Sheriffs to give security for the due execution of their offices, and for other purposes*, should become a Law of this State.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Swartwout, was read, and is in the words following, viz.

Resolved, (if the Honorable the House of Assembly concur herein) that Captain Lewis DeLa Vergne, of Amenia precinct, in Dutchess county, be, and he is hereby required to deliver unto the Honorable Ephraim Paine, Esquire, a certain chest, now in his custody, containing papers belonging to this State; and the said Lewis DeLa Vergne is likewise required to deliver to Mr. Paine all the printed acts and journals of the late Convention of this State, which are now in his possession."

Resolved, That Mr. Paine be requested, with all convenient speed to cause the said chest and papers to be safely conveyed to the Secretary's office of this State, and that the Legislature will make provision for paying the expence which shall be incurred in the premises."

Resolved, That this House do concur with the Honorable the Senate, in the two last preceding resolutions.

Ordered, That Mr. Ford and Mr. Joseph Lawrence deliver a copy of the preceding resolution of concurrence to the Honorable the Senate.

Resolved, If the Honorable the Senate concur herein, that the Commissioners appointed to manage Indian affairs, do on or before the first day of February next, exhibit to the auditor for this State an account of the expenditures on their late treaty with the Indians at Fort Stanwix, and that the auditor lay the same before the Legislature at their next meeting.

Resolved, If the Honorable the Senate concur herein, that a special occasion doth exist in which the Chancellor and Judges of the Supreme Court may be elected delegates to the general Congress, and that of the Chancellor and Judges of the Supreme court, one should on this occasion be elected a delegate, in addition to those already appointed for the present year; and in case of such concurrence,

Resolved, That both Houses will proceed agreeable to the mode prescribed in the 30th article of the constitution, severally to nominate of the Chancellor and Judges of the

the Supreme Court, one as a delegate to represent this State, in the United States in Congress assembled, on this special occasion, at such time as the Honorable the Senate shall appoint for the purpose.

Ordered, That Mr. Ford and Mr. Joseph Lawrence deliver a copy of the three last preceding resolutions to the Honorable the Senate.

A message from the Honorable the Council of Revision, by Mr. Chief Justice, was transmitted to this House by the Honorable the Senate, that it does not appear improper to the Council, that the bill, entitled, *An act to amend an act, entitled, an act for granting certain privileges to the College heretofore called Kings College, for altering the name and charter thereof, and erecting an University within this State, passed the 1st day of May, 1784*, should become a law of this State.

A message from the Honorable the Senate, was delivered by Mr. L'Hommedieu, with the bill therein mentioned, that the Senate have passed the bill, entitled, *An act for the payment of certain contingent expences, and for other purposes therein mentioned*, with the amendments therewith delivered.

The bill and amendments were read; and the amendments were respectively read a second time—One of the amendments being intended to direct the treasurer to pay to James Duane, Esquire, £. 201 9 11, for the depreciation of monies by him received for his expences, when attending Congress as a delegate in the years 1777 and 1778, was not concurred in by the House—Another of the said amendments is a clause intended to direct the auditors who grant certificates to the late troops of this State, for the depreciation of their pay, to grant certificates to the officer of the hospital and medical departments (to whom certificates for the depreciation of their pay have been granted by this State) for the pay which became due to them between the 31st day of July 1780, and the first day of January 1782, on their making proof to the said auditors of the sum or sums which became due to them respectively, within that period, and remain unpaid; which last-mentioned amendment was not concurred in by the House. Thereupon

Resolved, That this House do not concur in the two last-mentioned amendments, and do concur in the other amendments to the said bill.

Ordered, That Mr. Lockwood and Mr. Corfen deliver a copy of the last preceding resolution, and the said bill, to the Honorable the Senate.

A message from the Honorable the Council of Revision, was transmitted to this House by the Honorable the Senate, that it does not appear improper to the Council, that the bill, entitled, *An act to enable the clerks of the respective cities and counties within this State, to cancel the records of certain mortgages, made and executed to persons whose estates are forfeited, on proof that such mortgages are satisfied*, should become a law of this State.

Then the House adjourned until three of the clock in the afternoon.

3 o'clock, P. M.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Townsend of that House, was read, that the Senate do not concur with this House in their resolution of this day, relative to the account of the expenditures of the commissioners to manage Indian affairs.

A copy of a resolution of the Honorable the Senate, also delivered by Mr. Townsend, was read, concurring with this House in their resolutions of this day, for electing of the Chancellor and Judges of the Supreme Court, one as a delegate to represent this State, in the United States in Congress assembled, and that the Senate will at four of the clock, this afternoon, proceed to the nomination of such delegate accordingly.

The House then proceeded openly to nominate of the Chancellor and Judges of the Supreme Court, one as a delegate to represent this State, in the United States in Congress assembled, on the special occasion which now exists, and each of the members present proposed a person, as follows, viz.

Robert

	Robert R. Livingston, Esquire.		Robert R. Livingston, Esquire.
Mr. Duncomb,	1	Mr. Burling,	1
Mr. Goforth,	1	Mr. Paine,	1
Mr. Barr,	1	Mr. Talmadge,	1
Mr. Doughty,	1	Mr. Hopkins,	1
Mr. Vanderbilt,	1	Mr. Adgate,	1
Mr. Livingston,	1	Mr. Ford,	1
Mr. Becker,	1	Mr. J. Livingston,	1
Mr. Merfereau,	1	Mr. Harper,	1
Mr. Gelston,	1	Mr. D'Witt,	1
Mr. Joseph Lawrence,	1	Mr. Townsend,	1
Mr. Corfen,	1	Mr. Randall,	1
Mr. J. Sands,	1	Mr. Sickles,	1
Mr. Remsen,	1	Mr. Thompson,	1
Mr. Patterson,	1	Mr. Denning,	1
Mr. Thomas,	1	Mr. Clark,	1
Mr. Jeffrey Smith,	1	Mr. Brinckerhoff,	1
Mr. John Smith,	1	Mr. Cooper,	1
Mr. Pell,	1	Mr. N. Smith,	1
Mr. Lockwood,	1	Mr. Humfrey,	1
Mr. Gilbert,	1	Mr. Veeder,	1

Thereupon on motion of Mr. Gelston,

Resolved, That the Honorable Robert R. Livingston, Esquire, Chancellor of this State, be, and he is hereby nominated by this House, a delegate to represent this State, in the United States in Congress assembled, on the special occasion which now exists.

Resolved, That this House will meet the Honorable the Senate, in the Senate chamber, at such time as that Honorable House shall appoint, to compare the lists of persons nominated by the Senate and Assembly respectively, for a delegate on this special occasion.

Ordered, That Mr. Vanderbilt and Mr. Sickles, deliver a copy of the last preceding resolution to the Honorable the Senate.

A copy of a resolution of the Honorable the Senate, delivered by Mr. M'Dougall, was read, that the Senate will meet this House immediately in the Senate chamber, to compare the said lists of the persons nominated for a delegate on this special occasion.

Mr. Speaker then left the chair, and with the House attended the Honorable the Senate, in the Senate chamber, agreeable to the resolutions of both Houses, to compare their respective nominations of a delegate, to represent this State, in the United States in Congress assembled, on this special occasion, and being returned, he reassumed the chair, and reported to the House, that the House had met the Honorable the Senate, and compared the nominations of the two Houses respectively, of a delegate, to represent this State, in the United States in Congress assembled, on this special occasion, and that the Honorable Robert R. Livingston, Esquire, Chancellor of this State, was the person nominated by each House respectively; thereupon

Resolved, That the Honorable Robert R. Livingston, Esquire, Chancellor of this State, be, and he is hereby declared duly nominated, elected and appointed a delegate, to represent this State, in the United States in Congress assembled, on this special occasion, until the first Monday in November next.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Townsend, was read, that the Senate do recede from such of their amendments to the bill, entitled, *An act for the payment of certain contingent expences, and for other purposes therein mentioned*, as were not concurred in by this House.

Ordered, That the bill be amended, agreeable to the amendments concurred in by this House, and the same was amended accordingly.

Ordered, That Mr. J. Livingston and Mr. Hopkins, deliver the said bill to the Honorable the Senate, and inform them that the same is amended agreeable to the amendments concurred in by this House.

On motion of Mr. Adgate,

Resolved,

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